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CICERO

PRO MARCELLO

PRO LIGARIO

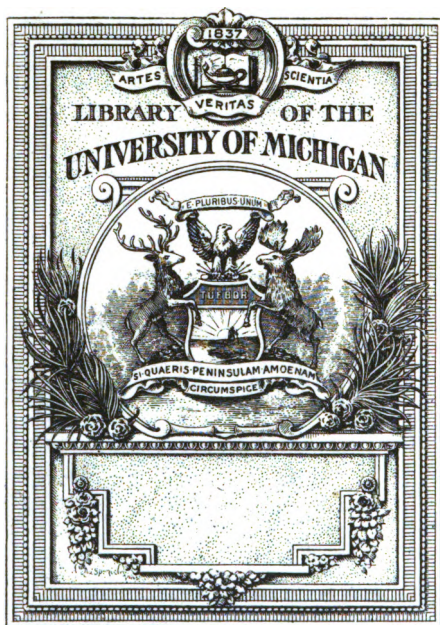
PRO REGE DEIOTARO



INTRODUCTION
& TEXT

NOTES

FAUSSET.



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5
16
46

Clarendon Press Series

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C I C E R O

ORATIONES CAESARIANAE

PRO MARCELLO. PRO LIGARIO
PRO REGE DEIOTARO

WITH INTRODUCTION AND NOTES

BY THE

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PREFACE

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v. 22
THIS edition of the 'Orationes Caesarianae' is designed for use in the upper forms of schools, and cannot pretend to any originality in textual criticism, the text of C. F. W. Müller (1886) being accepted in all essentials. Some note has been taken, notwithstanding, of the valuable results obtained by Mr. A. C. Clark from H, the Harleian MS. 2682, which he finds to be closely connected with A, Ambrosian MS. 29 (Xth cent.), used by Müller. No scholar can study these speeches in future without the help of his recent collation (in *Anecd. Oxon.* 1892).

I have used, for all three speeches, Richter's edition edited by Eberhard (Leipzig, 1877): for the Marcellana, referring also to Wolf, Worm, and Weiske: for the Li-gariana, to an excellent edition by Strengé (Gotha, 1888) as well as to Halm: for the pro rege Deiotaro, to the last-named.

I am indebted to Dr. Evelyn Abbott, my former Tutor, who revised the proofs of my work, for a leniency towards its faults which I have experienced before; to Mr. J. H. Fowler, of Manchester Grammar School, for similar assistance; and to my father for sundry notes and comments.

A peculiar interest attaches to these speeches and connects them naturally with one another. We see in them the prince of Roman orators cautiously, and yet with irresistible magic, asserting his power over the master of the destinies of the Empire. The will of Caesar bows before the genius of Cicero; and we honour them both the more for it.

W. YORKE FAUSSET.

THE GRAMMAR SCHOOL, RIPON,

Jan. 9, 1893.

CONTENTS



PART I.

| | PAGE |
|------------------------------------|------|
| PRO M. MARCELLO ORATIO | I |
| PRO Q. LIGARIO ORATIO | 14 |
| PRO REGE DEIOTARO ORATIO | 29 |

PART II.

| | |
|---|----|
| INTRODUCTION TO THE PRO MARCELLO | 3 |
| NOTES ON THE PRO MARCELLO | 10 |
| INTRODUCTION TO THE PRO LIGARIO | 24 |
| NOTES ON THE PRO LIGARIO | 26 |
| INTRODUCTION TO THE PRO REGE DEIOTARO | 39 |
| NOTES ON THE PRO REGE DEIOTARO | 42 |
| INDEX | 57 |
| APPENDIX TO NOTES ON PRO MARCELLO | 63 |

M. TULLI CICERONIS

PRO M. MARCELLO ORATIO.



Exordium (§§ 1-4). *It is Caesar's act of grace towards Marcellus which compels me to break my long silence.*

1. DIUTURNI silentii, patres conscripti, quo eram his 1
 temporibus usus non timore aliquo, sed partim dolore,
 partim verecundia, finem hodiernus dies attulit idemque
 initium, quae vellem quaeque sentirem, meo pristino more
 dicendi. Tantam enim mansuetudinem, tam inusitatum
 inauditamque clementiam, tantum in summa potestate
 rerum omnium modum, tam denique incredibilem sapien-
 tiam ac paene divinam tacitus praeterire nullo modo pos-
 sum. M. enim Marcello vobis, patres conscripti, reique 2
 publicae reddito non illius solum, sed etiam meam vocem
 et auctoritatem et vobis et rei publicae conservatam ac
 restitutam puto. Dolebam enim, patres conscripti, et
 vehementer angebar virum talem, cum in eadem causa
 in qua ego fuisset, non in eadem esse fortuna nec mihi
 persuadere poteram nec fas esse ducebam versari me
 in nostro vetere curriculo illo aemulo atque imitatore
 studiorum ac laborum meorum quasi quodam socio a me

et comite distracto. Ergo et mihi meae pristinae vitae consuetudinem, C. Caesar, interclusam aperuisti et his omnibus ad bene de omni re publica sperandum quasi signum
 3 aliquod sustulisti. Intellectum est enim mihi quidem in multis et maxume in me ipso, sed paulo ante [in] omnibus, cum M. Marcellum senatui reique publicae concessisti commemoratis praesertim offensionibus, te auctoritatem huius ordinis dignitatemque rei publicae tuis vel doloribus vel suspicionibus anteferre. Ille quidem fructum omnis ante actae vitae hodierno die maxumum cepit cum
 (4) summo consensu senatus, tum iudicio tuo gravissimo et maxumo. Ex quo profecto intellegis, quanta in dato
 4 beneficio sit laus, cum in accepto sit tanta gloria. Est vero fortunatus ille, cuius ex salute non minor paene ad omnes, quam ad ipsum ventura sit, laetitia pervenerit; quod quidem ei merito atque optimo iure contigit. Quis enim est illo aut nobilitate aut probitate aut optimarum artium studio aut innocentia aut ullo laudis genere praestantior?

First division of the argument (§§ 4-20). *Great as are your past exploits, Caesar, you have surpassed yourself to-day.*

2. Nullius tantum flumen est ingenii, nullius dicendi aut scribendi tanta vis, tanta copia, quae non dicam exornare, sed enarrare, C. Caesar, res tuas gestas possit. Tamen adfirmo, et hoc pace dicam tua, nullam in his esse laudem ampliorem quam eam, quam hodierno die
 5 consecutus es. Soleo saepe ante oculos ponere idque libenter crebris usurpare sermonibus, omnis nostrorum imperatorum, omnis exterarum gentium potentissimorumque populorum, omnis clarissimorum regum res gestas cum tuis nec contentionum magnitudine nec

numero proeliorum nec varietate regionum nec celeritate conficiendi nec dissimilitudine bellorum posse conferri, nec vero disiunctissimas terras citius passibus cuiusquam potuisse peragrari, quam tuis non dicam cursibus, sed victoriis lustratae sunt. Quae quidem ego nisi ita magna esse fatear, ut ea vix cuiusquam mens aut cogitatio capere possit, amens sim; sed tamen sunt alia maiora. Nam bellicas laudes solent quidam extenuare verbis easque detrahare ducibus, communicare cum multis, ne propriae sint imperatorum. Et certe in armis militum virtus, locorum opportunitas, auxilia sociorum, classes, commeatus multum iuvant, maximam vero partem quasi suo iure Fortuna sibi vindicat et, quicquid prospere gestum est, id paene omne ducit suum. At vero huius gloriae, C. 7 Caesar, quam es paulo ante adeptus, socium habes neminem; totum hoc, quantumcumque est, quod certe maximum est, totum est, inquam, tuum. Nihil sibi ex ista laude centurio, nihil praefectus, nihil cohors, nihil turma decerpit; quin etiam illa ipsa rerum humanarum domina Fortuna in istius societatem gloriae se non offert, tibi cedit, tuam esse totam et propriam fatetur. Numquam enim temeritas cum sapientia commiscetur, neque ad consilium casus admittitur.

(§§ 8-10). *We hail with enthusiasm this your victory over yourself.*

3. Domuisti gentes inmanitate barbaras, multitudine 8 innumerabiles, locis infinitas, omni copiarum genere abundantes; sed tamen ea vicisti, quae et naturam et condicionem, ut vinci possent, habebant. Nulla est enim tanta vis, quae non ferro et viribus debilitari frangique possit. Animum vincere, iracundiam cohibere, victoriae temperare, adversarium nobilitate, ingenio,

virtute praestantem non modo extollere iacentem, sed etiam amplificare eius pristinam dignitatem, haec qui facit, non ego eum cum summis viris comparo, sed simil-
 9 limum deo iudico. Itaque, C. Caesar, bellicae tuae laudes celebrabuntur illae quidem non solum nostris, sed paene omnium gentium litteris atque linguis, nec ulla umquam aetas de tuis laudibus conticescet; sed tamen eius modi res nescio quo modo, etiam cum leguntur, obstrepi clamore militum videntur et tubarum sono. At vero cum aliquid clementer, mansuete, iuste, moderate, sapienter factum, in iracundia praesertim, quae est inimica consilio, et in victoria, quae natura insolens et superba est, [aut] audimus aut legimus, quo studio incendimur non modo in gestis rebus, sed etiam in fictis, ut eos saepe, quos numquam vidimus, diligamus!

10 Te vero, quem praesentem intuemur, cuius mentem sensusque et os cernimus, ut, quicquid belli fortuna reliquum rei publicae fecerit, id esse salvum velis, quibus laudibus efferemus, quibus studiis prosequemur, qua benivolentia complectemur! Parietes, medius fidiis, ut mihi videtur, huius curiae tibi gratias agere gestiunt, quod brevi tempore futura sit illa auctoritas in his maiorum suorum et suis sedibus.

(§§ 11-12). *Your fame has reached its zenith to-day.*

4. Equidem cum C. Marcelli, viri optimi et memorabili pietate praediti, lacrimas modo vobiscum viderem, omnium Marcellorum meum pectus memoria obfudit, quibus tu etiam mortuis M. Marcello conservato dignitatem suam reddidisti nobilissimamque familiam iam
 11 ad paucos redactam paene ab interitu vindicasti. Hunc tu igitur diem tuis maximis et innumerabilibus gratula-

tionibus iure antepones. Haec enim res unius est propria C. Caesaris; ceterae duce te gestae magnae illae quidem, sed tamen multo magnoque comitatu. Huius autem rei tu idem es et dux et comes; quae quidem tanta est, ut tropaeis et monumentis tuis adlatura finem sit aetas (nihil est enim opere et manu factum, quod non aliquando conficiat et consumat vetustas); at haec tua iustitia et lenitas animi florescit cotidie magis, ita ut, quantum tuis operibus diuturnitas detrahet, tantum adferat laudibus. Et ceteros quidem omnes victores bel- (12) lorum civilium iam ante aequitate et misericordia viceras; hodierno vero die te ipsum vicisti. Vereor, ut hoc, quod dicam, perinde intellegi possit auditum, atque ipse cogitans sentio: Ipsam victoriam vicisse videris, cum ea, quae illa erat adepta, victis remisisti. Nam cum ipsius victoriae condicione omnes victi occidissemus, clementiae tuae iudicio conservati sumus. Recte igitur unus invictus [es], a quo etiam ipsius victoriae condicio visque devicta est.

(§§ 13-18). *The bearings of Caesar's decision in the case of Marcellus upon the whole Pompeian party. The speaker's own position: and like him, Marcellus always feared the excesses of his own party in the event of their victory. Caesar's use of victory.*

5. Atque hoc C. Caesaris iudicium, patres conscripti, 13 quam late pateat, adtendite. Omnes enim, qui ad illa arma fato sumus nescio quo rei publicae misero funestoque compulsi, etsi aliqua culpa tenemur erroris humani, scelere certe liberati sumus. Nam, cum M. Marcellum deprecantibus vobis rei publicae conservavit, me et mihi et item rei publicae nullo deprecante, reliquos amplissimos viros et sibi ipsos et patriae reddidit, quorum et fre-

- quentiam et dignitatem hoc ipso in consessu videtis : non ille hostes induxit in curiam, sed iudicavit a plerisque ignoratione potius et falso atque inani metu quam cupiditate aut crudelitate bellum esse susceptum. Quo quidem in bello semper de pace audiendum putavi semperque dolui non modo pacem, sed etiam orationem civium pacem flagitantium repudiari. Neque enim ego illa nec ulla umquam secutus sum arma civilia, semperque mea consilia pacis et togae socia, non belli atque armorum fuerunt. Hominem sum secutus privato officio, non publico, tantumque apud me grati animi fidelis memoria valuit ut nulla non modo cupiditate, sed ne spe quidem, prudens et sciens tamquam ad interitum ruerem voluntarium. Quod quidem meum consilium minime obscurum fuit. Nam et in hoc ordine integra re multa de pace dixi et in ipso bello eadem etiam cum capitis mei periculo sensi. Ex quo nemo iam erit tam iniustus existimator rerum, qui dubitet, quae Caesaris de bello voluntas fuerit, cum pacis auctores conservandos statim censuerit, ceteris fuerit iratior. Atque id minus mirum fortasse tum, cum esset incertus exitus et anceps fortuna belli ; qui vero victor pacis auctores diligit, is profecto declarat se maluisse non dimicare quam vincere.
- 16 **6.** Atque huius quidem rei M. Marcello sum testis. Nostri enim sensus ut in pace semper, sic tum etiam in bello congruebant. Quotiens ego eum et quanto cum dolore vidi cum insolentiam certorum hominum, tum etiam ipsius victoriae ferocitatem extimescentem ! Quo gratior tua liberalitas, C. Caesar, nobis, qui illa vidimus, debet esse. Non enim iam causae sunt inter 17 se, sed victoriae comparandae. Vidimus tuam victoriam proeliorum exitu terminatam, gladium vagina vacuum

in urbe non vidimus. Quos amisimus cives, eos Martis vis perculit, non ira victoriae, ut dubitare debeat nemo, quin multos, si fieri posset, C. Caesar ab inferis excitaret, quoniam ex eadem acie conservat, quos potest. Alterius vero partis nihil amplius dicam quam, id quod omnes verebamus, nimis iracundam futuram fuisse victoriam. Quidam enim non modo armatis, sed 18 interdum etiam otiosis minabantur nec, quid quisque sensisset, sed ubi fuisset, cogitandum esse dicebant, ut mihi quidem videantur di immortales, etiamsi poenas a populo Romano ob aliquod delictum expetiverunt, qui civile bellum tantum et tam luctuosum excitaverunt, vel placati iam vel satiati aliquando omnem spem salutis ad clementiam victoris et sapientiam contulisse.

(§§ 19-20). *A wise and good nature is your highest reward, Caesar: go on as you have begun.*

Quare gaude tuo isto tam excellenti bono et fruire 19 cum fortuna et gloria, tum etiam natura et moribus tuis, ex quo quidem maxumus est fructus iucunditasque sapienti. Cetera cum tua recordabere, etsi persaepe virtuti, tamen plerumque felicitati tuae gratulabere; de nobis, quos in re publica tecum simul esse voluisti, quotiens cogitabis, totiens de maxumis tuis beneficiis, totiens de incredibili liberalitate, totiens de singulari sapientia tua cogitabis; quae non modo summa bona, sed nimirum audebo vel sola dicere. Tantus est enim splendor in laude vera, tanta in magnitudine animi et consilii dignitas, ut haec a Virtute donata, cetera a Fortuna commodata esse videantur. Noli igitur in con- 20 servandis bonis viris defetigari, non cupiditate praesertim aliqua aut pravitate lapsis, sed opinione officii stulta fortasse, certe non inproba, et specie quadam rei publicae.

Non enim tua ulla culpa est, si te aliqui timuerunt, contraque summa laus, quod minime timendum fuisse senserunt.

Second division of the argument (§§ 21-30). *You suspect that your life is in danger. What madman would attempt it? The safety of us all is bound up with it. The more need, however, for us to be vigilant.*

- 21 **7.** Nunc venio ad gravissimam querellam et atrocissimam suspicionem tuam, quae non tibi ipsi magis quam cum omnibus civibus, tum maxime nobis, qui a te conservati sumus, providenda est; quam etsi spero falsam esse, tamen numquam extenuabo. Tua enim cautio nostra cautio est, ut, si in alterutro peccandum sit, malim videri nimis timidus quam parum prudens. Sed quisnam est iste tam demens? de tuisne (tametsi qui magis sunt tui, quam quibus tu salutem insperantibus reddidisti?) an ex hoc numero, qui una tecum fuerunt? Non est credibilis tantus in ullo furor, ut, quo duce omnia summa sit adeptus, huius vitam non anteponat suae. An, si nihil tui cogitant sceleris, cavendum est, ne quid inimici? Qui? omnes enim, qui fuerunt, aut sua pertinacia vitam amiserunt aut tua misericordia retinuerunt, ut aut nulli supersint de inimicis aut, qui fuerunt, sint amicissimi.
- 22 Sed tamen cum in animis hominum tantae latebrae sint et tanti recessus, augeamus sane suspicionem tuam; simul enim augebimus diligentiam. Nam quis est omnium tam ignarus rerum, tam rudis in re publica, tam nihil umquam nec de sua nec de communi salute cogitans, qui non intellegat tua salute contineri suam et ex unius tua vita pendere omnium? Equidem de te dies noctesque, ut debeo, cogitans casus dumtaxat humanos et incertos eventus valetudinis et naturae communis fragilitatem extimesco

doleoque, cum res publica immortalis esse debeat, eam in unius mortalis anima consistere. Si vero ad humanos 23 casus incertosque motus valetudinis sceleris etiam accedit insidiarumque consensio, quem deum, si cupiat, posse opitulari rei publicae credamus?

Chs. viii, ix. **Digression.** *Your work is only begun : no one can complete it in your place. Your life's drama wants another act, to secure it immortality.*

8. Omnia sunt excitanda tibi, C. Caesar, uni, quae iacere sentis belli ipsius impetu, quod necesse fuit, perculsa atque prostrata; constituenda iudicia, revocanda fides, comprimendae libidines, propaganda suboles, omnia, quae dilapsa iam diffluxerunt, severis legibus vincienda sunt. Non fuit recusandum in tanto civili bello, tanto 24 animorum ardore et armorum, quin quassata res publica, quicumque belli eventus fuisset, multa perderet et ornamenta dignitatis et praesidia stabilitatis suae, multaque uterque dux faceret armatus, quae idem togatus fieri prohibuisset. Quae quidem tibi nunc omnia belli vulnera sananda sunt, quibus praeter te mederi nemo potest. Itaque illam 25 tuam praeclarissimam et sapientissimam vocem invitus audiui: 'Satis diu vel naturae vixi vel gloriae.' Satis, si ita vis, fortasse naturae, addo etiam, si placet, gloriae, at, quod maximum est, patriae certe parum. Quare omitte istam, quaeso, doctorum hominum in contemnenda morte prudentiam, noli nostro periculo esse sapiens. Saepe enim venit ad aures meas te idem istud nimis crebro dicere, tibi satis te vixisse. Credo; sed tum id audirem, si tibi soli viveres aut si tibi etiam soli natus esses. Omnium salutem civium cunctamque rem publicam res tuae gestae complexae sunt; tantum abes a perfectione

- maximorum operum, ut fundamenta nondum, quae cogitas, ieceris. Hic tu modum vitae tuae non salute rei publicae, sed aequitate animi definies? Quid, si istud ne gloriae [tuae] quidem satis est? cuius te esse avidis-
- 26 **simum**, quamvis sis sapiens, non negabis. ‘Parumne igitur,’ inquires, ‘magna relinquemus?’ Immo vero aliis quamvis multis satis, tibi uni parum. Quicquid est enim, quamvis amplum sit, id est parum tum, cum est aliquid amplius. Quodsi rerum tuarum immortalium, C. Caesar, hic exitus futurus fuit, ut devictis adversariis rem publicam in eo statu relinqueres, in quo nunc est, vide, quaeso, ne tua divina virtus admirationis plus sit habitura quam gloriae, siquidem gloria est inlustris ac pervagata magnorum vel in suos cives vel in patriam vel in omne genus hominum fama meritorum.
- 27 **9.** Haec igitur tibi reliqua pars est, hic restat actus, in hoc elaborandum est, ut rem publicam constituas, eaque tu in primis summa tranquillitate et otio perfruare; tum te, si voles, cum et patriae, quod debes, solveris et naturam ipsam expleveris satietate vivendi, satis diu vixisse dicito. Quid enim est omnino hoc ipsum diu, in quo est aliquid extremum? Quod cum venit, omnis voluptas praeterita pro nihilo est, quia postea nulla est futura. Quamquam iste tuus animus numquam his angustiis, quas natura nobis ad vivendum dedit, contentus
- 28 **fuit**, semper immortalitatis amore flagravat. Nec vero haec tua vita ducenda est, quae corpore et spiritu continetur; illa, inquam, illa vita est tua, quae vigeat memoria saeculorum omnium, quam posteritas alet, quam ipsa aeternitas semper tuebitur. Huic tu inservias, huic te ostentes oportet, quae quidem, quae miretur, iam pridem multa habet; nunc etiam, quae laudet, expectat. Ob-

stupescunt posterī certe imperia, provincias, Rhenum, Oceanum, Nilum, pugnas innumerabiles, incredibiles victorias, monimenta, munera, triumphos audientes et legentes tuos. Sed nisi haec urbs stabilita tuis consiliis 29 et institutis erit, vagabitur modo tuum nomen longe atque late, sedem stabilem et domicilium certum non habebit. Erit inter eos etiam, qui nascentur, sicut inter nos fuit, magna dissensio, cum alii laudibus ad caelum res tuas gestas efferent, alii fortasse aliquid requirent, idque vel maximum, nisi belli civilis incendium salute patriae restinxeris, ut illud fati fuisse videatur, hoc consilii. Servi igitur iis etiam iudicibus, qui multis post saeculis de te iudicabunt, et quidem haud scio an incorruptius quam nos; nam et sine amore et sine cupiditate et rursus sine odio et sine invidia iudicabunt. Id autem etiamsi tum 30 ad te, ut quidam [falso] putant, non pertinebit, nunc certe pertinet esse te talem, ut tuas laudes obscuratura nulla umquam sit oblivio.

Returning to the subject of ch. vii. The miserable struggle is over. The generosity of the victor has changed our hostility into hearty allegiance: we will shield you with our own bodies.

10. Diversae voluntates civium fuerunt distractaeque sententiae. Non enim consiliis solum et studiis, sed armis etiam et castris dissidebamus; erat enim obscuritas quaedam, erat certamen inter clarissimos duces; multi dubitabant, quid optimum esset, multi, quid sibi expediret, multi, quid deceret, non nulli etiam, quid liceret. Per- 31 functa res publica est hoc misero fatalique bello; vicit is, qui non fortuna inflammaret odium suum, sed bonitate leniret, nec qui omnes, quibus iratus esset, eosdem [etiam] exilio aut morte dignos iudicaret. Arma ab aliis posita, ab

aliis erepta sunt. Ingratus est iniustusque civis, qui armorum periculo liberatus animum tamen retinet armatum, ut etiam ille melior sit, [qui in acie cecidit,] qui in causa animam profudit. Quae enim pertinacia quibusdam, eadem aliis constantia videri potest. Sed iam omnis fracta
 32 dissensio est armis, extincta aequitate victoris; restat, ut omnes unum velint, qui modo habent aliquid non solum sapientiae, sed etiam sanitatis. Nisi te, C. Caesar, salvo et in ista sententia, qua cum antea, tum hodie vel maxime usus es, manente salvi esse non possumus. Quare omnes te, qui haec salva esse volumus, et hortamur et obsecramus, ut vitae tuae et saluti consulas, omnesque tibi (ut pro aliis etiam loquar, quod de me ipse sentio), quoniam subesse aliquid putas, quod cavendum sit, non modo excubias et custodias, sed etiam laterum nostrorum oppositus et corporum pollicemur.

Peroration (§ 11). *I am expressing the gratitude of all: but besides that, my own gratitude for this your crowning service to myself in the person of Marcellus.*

33 **11.** Sed ut, unde est orsa, in eodem terminetur oratio, maximas tibi omnes gratias agimus, C. Caesar, maiores etiam habemus. Nam omnes idem sentiunt, quod ex omnium precibus et lacrimis sentire potuisti. Sed quia non est omnibus stantibus necesse dicere, a me certe dici volunt, cui necesse est quodam modo; et, quod fieri decet M. Marcello a te huic ordini populoque Romano et rei publicae reddito, fieri id intellego. Nam laetari omnes
 34 non de unius solum, sed de communi salute sentio. Quod autem summae benivolentiae est, quae mea erga illum omnibus semper nota fuit, ut vix C. Marcello, optimo et amantissimo fratri, praeter eum quidem cederem nemini,

cum id sollicitudine, cura, labore tamdiu praestiterim, quamdiu est de illius salute dubitatum, certe hoc tempore magnis curis, molestiis, doloribus liberatus praestare debeo. Itaque, C. Caesar, sic tibi gratias ago, ut omnibus me rebus a te non conservato solum, sed etiam ornato tamen ad tua in me unum innumerabilia merita, quod fieri iam posse non arbitrabar, maximus hoc tuo facto cumulus accesserit.

M. TULLI CICERONIS

PRO Q. LIGARIO ORATIO.

Exordium (§§ 1-2). *Q. Tubero has accused Q. Ligarius of having been in Africa: C. Pansa has admitted it. The defendant pleads guilty, and I have to appeal, Caesar, to your clemency.*

- 1 1. Novum crimen, C. Caesar, et ante hunc diem non auditum propinquus meus ad te, Q. Tubero, detulit, Q. Ligarium in Africa fuisse, idque C. Pansa, praestanti vir ingenio, fretus fortasse familiaritate ea, quae est ei tecum, ausus est confiteri. Itaque, quo me vertam, nescio. Paratus enim veneram, cum tu id neque per te scires neque audire aliunde potuisses, ut ignorance tua ad hominis miseri salutem abuterer. Sed quoniam diligentia inimici investigatum est, quod latebat, confitendum est, ut opinor, praesertim cum meus necessarius Pansa fecerit, ut id integrum iam non esset, omisssaque controversia omnis oratio ad misericordiam tuam conferenda est, qua plurimi sunt conservati, cum a te non liberationem culpa, sed
- 2 errati veniam impetravissent. Habes igitur, Tubero, quod est accusatori maxime optandum, confitentem reum, sed tamen hoc confitentem, se in ea parte fuisse qua te, qua virum omni laude dignum, patrem tuum. Itaque prius

de vestro delicto confiteamini necesse est, quam Ligari ullam culpam reprehendatis.

Narratio (§§ 2-5). *The circumstances under which Ligarius went to Africa and stayed there, even after P. Varus arrived. If he did wrong, it was from sheer necessity.*

Q. enim Ligarius, cum esset nulla belli suspicio, legatus in Africam cum C. Considio profectus est; qua in legatione et civibus et sociis ita se probavit, ut decedens Considius provincia satis facere hominibus non posset, si quemquam alium provinciae praefecisset. Itaque Ligarius, cum diu recusans nihil profecisset, provinciam accepit invitus; cui sic praefuit in pace, ut et civibus et sociis gratissima esset eius integritas ac fides. Bellum subito exarsit, quod, qui erant in Africa, ante audierunt geri quam parari. Quo audito partim cupiditate inconsiderata, partim caeco quodam timore primo salutis, post etiam studii sui quaerebant aliquem ducem, cum Ligarius domum spectans, ad suos redire cupiens nullo se implicari negotio passus est. Interim P. Attius Varus, qui praetor Africam optinuerat, Uticam venit. Ad eum statim concursus est. Atque ille non mediocri cupiditate arripuit imperium, si illud imperium esse potuit, quod privato clamore multitudinis inperitae nullo publico consilio deferebatur. Itaque Ligarius, qui omne tale negotium cuperet effugere, paulum adventu Vari conquivit.

2. Adhuc, C. Caesar, Q. Ligarius omni culpa vacat. (4)
Domo est egressus non modo nullum ad bellum, sed ne ad minimam quidem suspicionem belli; legatus in pace profectus est; in provincia pacatissima ita se gessit, ut ei pacem esse expedit. Profectio certe animum tuum non debet offendere; num igitur remansio? Multo minus. Nam profectio voluntatem habuit non turpem, remansio

necessitatem etiam honestam. Ergo haec duo tempora carent crimine, unum, cum est legatus profectus, alterum, cum eclagatus a provincia praepositus Africae est. 5 Tertium tempus est, quod post adventum Vari in Africa restitit; quod si est criminis, necessitatis crimen est, non voluntatis. An ille, si potuisset ullo modo evadere, Uticae quam Romae, cum P. Attio quam cum concordissimis fratribus, cum alienis esse quam cum suis maluisset? Cum ipsa legatio plena desiderii ac sollicitudinis fuisset propter incredibilem quendam fratrum amorem, hic aequo animo esse potuit belli discidio distractus a fratribus?

Tractatio (§§ 6-29), or handling of the charge.

I. (§§ 6-9) [*Captatio benevolentiae iudicis*]. *The orator throws himself on Caesar's generosity. 'Here is clemency: you allow M. Cicero to defend another at your own bar upon a charge under which he himself is liable. And yet you forgave me and left me in possession of all my honours. (§§ 8, 9) But Tubero was in arms against you too: and now ventures to accuse Ligarius of the same offence.'*

6 Nullum igitur habes, Caesar, adhuc in Q. Ligario signum alienae a te voluntatis; cuius ego causam animadvertē, quaeso, qua fide defendam, prodo meam. O clementiam admirabilem atque omnium laude, praedicatione, litteris monumentisque decorandam! Cum M. Cicero apud te defendit alium in ea voluntate non fuisse, in qua se ipsum confitetur fuisse, nec tuas tacitas cogitationes extimescit nec, quid tibi de alio audienti de se ipso occurrat, reformidat.

3. Vide, quam non reformidem, vide, quanta lux liberalitatis et sapientiae tuae mihi apud te dicenti oboritur; quantum potero, voce contendam, ut hoc populus Romanus 7 exaudiat: Suscepto bello, Caesar, gesto etiam ex parte

magna nulla vi coactus iudicio ac voluntate ad ea arma profectus sum, quae erant sumpta contra te. Apud quem (7) igitur hoc dico? Nempe apud eum, qui cum hoc sciret, tamen me, antequam vidit, rei publicae reddidit, qui ad me ex Aegypto litteras misit, ut essem idem, qui fuisset, qui cum ipse imperator in toto imperio populi Romani unus esset, esse me alterum passus est, a quo hoc ipso C. Pansa mihi nuntium perferente concessos fasces laureatos tenui, quoad tenendos putavi, qui mihi tum denique se salutem putavit reddere, si eam nullis spoliata ornamentis dedisset. Vide, quaeso, Tubero, ut, qui de meo facto non 8 dubitem, de Ligari non audeam confiteri. Atque haec propterea de me dixi, ut mihi Tubero, cum de se eadem dicerem, ignosceret; cuius ego industriae gloriaeque faveo vel propter propinquam cognationem, vel quod eius ingenio studiisque delector, vel quod laudem adulescentis propinqui existimo etiam ad meum aliquem fructum redundare. Sed hoc quaero: Quis putat esse crimen fuisse 9 in Africa? Nempe is, qui et ipse in eadem Africa esse voluit et prohibitum se a Ligario queritur et certe contra ipsum Caesarem est congressus armatus. Quid enim, Tubero, tuus ille dstrictus in acie Pharsalica gladius agebat? cuius latus ille mucro petebat? qui sensus erat armorum tuorum? quae tua mens, oculi, manus, ardor animi? quid cupiebas, quid optabas? Nimis urgeo; commoveri videtur adulescens. Ad me revertar. Isdem in armis fui.

- II. (§§ 10-16). *It is an inhuman charge. You seek not Ligarius' exile, but his execution: though you do not see the full drift of your action. It is even more horrible to intercept Caesar's pardon on its way. Nor can you plead loyalty to him in excuse.*

- 10 4. Quid autem aliud egimus, Tubero, nisi ut, quod hic potest, nos possemus? Quorum igitur impunitas, Caesar, tuae clementiae laus est, eorum ipsorum ad crudelitatem te acuet oratio? Atque in hac causa non nihil equidem, Tubero, etiam tuam, sed multo magis patris tui prudentiam desidero, quod homo cum ingenio, tum etiam doctrina excellens, genus hoc causae quod esset, non viderit. Nam, si vidisset, quovis profecto quam isto modo a te agi maluisset.

Arguis fatentem. Non est satis; accusas eum, qui causam habet aut, ut ego dico, meliorem quam tu aut, ut
11 tu vis, parem. Haec admirabilia, sed prodigii simile est, quod dicam. Non habet eam vim ista accusatio, ut Q. Ligarius condemnetur, sed ut necetur. Hoc egit civis Romanus ante te nemo; externi isti mores [usque ad sanguinem incitari solent odio] aut levium Graecorum aut inmanium barbarorum. Nam quid agis aliud? Romae ne sit, ut domo careat, ne cum optimis fratribus, ne cum hoc T. Broccho avunculo, ne cum eius filio consobrino suo, ne nobiscum vivat, ne sit in patria? Num est, num potest magis carere his omnibus, quam caret? Italia prohibetur, exulat. Non tu ergo hunc patria privare, qua caret, sed vita vis. At istud ne apud eum quidem dictatorem, qui omnes, quos oderat, morte multabat, quisquam egit isto modo. Ipse iubebat occidi nullo postulante, praemiis etiam invitabat; quae tamen crudelitas ab hoc eodem aliquot annis post, quem tu nunc crudelem esse vis, vindicata est.

5. 'Ego vero istud non postulo,' inquires. Ita mehercule existimo, Tubero. Novi enim te, novi patrem, novi domum nomenque vestrum; studia generis ac familiae vestrae virtutis, humanitatis, doctrinae, plurimarum artium

atque optimarum nota mihi sunt omnia. Itaque certo 13
 scio vos non petere sanguinem, sed parum attenditis. Res
 enim eo spectat, ut ea poena, in qua adhuc Q. Ligarius
 sit, non videamini esse contenti. Quae est igitur alia
 praeter mortem? Si enim est in exilio, sicuti est, quid
 amplius postulatis? an ne ignoscatur? Hoc vero multo
 acerbius multoque est durius. Quod nos [domi] petimus
 precibus, lacrimis, strati ad pedes, non tam nostrae causae
 fidentes quam huius humanitati, id ne impetremus, oppug-
 nabis et in nostrum fletum inrumpes et nos iacentes ad
 pedes supplicum voce prohibebis? Si, cum hoc domi 14
 faceremus, quod et fecimus et, ut spero, non frustra
 fecimus, tu repente inruisses et clamare coepisses: 'C.
 Caesar, cave ignoscas, cave te fratrum pro fratris salute
 obsecrantium misereat!', nonne omnem humanitatem
 exuisses? Quanto hoc durius, quod nos domi petimus, id
 te in foro oppugnare et in tali miseria multorum perfrugium
 misericordiae tollere! Dicam plane, Caesar, quod sentio.
 Si in hac tanta tua fortuna lenitas tanta non esset, quam 15
 tu per te, per te, inquam, optines (intellego, quid loquar),
 acerbissimo luctu redundaret ista victoria. Quam multi
 enim essent de victoribus, qui te crudelem esse vellent,
 cum etiam de victis reperiantur! quam multi, qui cum a
 te ignosci nemini vellent, impedirent clementiam tuam,
 cum etiam hi, quibus ipsis ignovisti, nolint te esse in alios
 misericordem! Quodsi probare Caesari possemus in 16
 Africa Ligarium omnino non fuisse, si honesto et miseri-
 cordi mendacio saluti civi calamitoso esse vellemus, tamen
 hominis non esset in tanto discrimine et periculo civis
 refellere et redarguere nostrum mendacium, et, si esset
 alicuius, eius certe non esset, qui in eadem causa et
 fortuna fuisset. Sed tamen aliud est errare Caesarem

nolle, aliud est nolle misereri. Tum diceres: 'Caesar, cave credas; fuit in Africa, tulit arma contra te!' Nunc quid dicis? 'Cave ignoscas!' Haec nec hominis nec ad hominem vox est. Qua qui apud te, C. Caesar, utitur, suam citius abiciet humanitatem quam extorquebit tuam.

(§§ 17-19). *The action of Ligarius was no crime (scelus): for*
 (a) *no one but Tubero ever attributed this to the Pompeian party:*
 (b) *not Caesar himself: for it was not with criminals that he sought to make peace; if he had done so, he would have been no true patriot.* (c) *Each party had patriotic intentions, and a good cause and an eminent leader. We can only accept the verdict of Heaven, that Caesar had the better cause.*

- 17 **6.** Ac primus aditus et postulatio Tuberonis haec, ut opinor, fuit, velle se de Q. Ligari scelere dicere. Non dubito, quin admiratus sis, vel quod de nullo alio [quisquam], vel quod is, qui in eadem causa fuisset, vel quidnam novi [sceleris] adferret. 'Scelus' tu illud vocas, Tubero? cur? isto enim nomine illa adhuc causa caruit. Alii errorem appellant, alii timorem, qui durius, spem, cupiditatem, odium, pertinaciam, qui gravissime, temeritatem; scelus praeter te adhuc nemo. Ac mihi quidem, si proprium et verum nomen nostri mali quaeritur, fatalis quaedam calamitas incidisse videtur et improvidas hominum mentes occupavisse, ut nemo mirari debeat humana con-
- 18 silia divina necessitate esse superata. Liceat esse miseros (quamquam hoc victore esse non possumus; sed non loquor de nobis, de illis loquor, qui occiderunt), fuerint cupidi, fuerint irati, fuerint pertinaces; sceleris vero crimine, furoris, parricidii liceat Cn. Pompeio mortuo, liceat multis aliis carere. Quando hoc quisquam ex te, Caesar, audivit, aut tua quid aliud arma voluerunt nisi a

te contumeliam propulsare? Quid egit tuus invictus exercitus, nisi ut suum ius tueretur et dignitatem tuam? Quid? tu cum pacem esse cupiebas, idne agebas, ut tibi cum sceleratis an ut cum bonis civibus conveniret? Mihi 19 vero, Caesar, tua in me maxima merita tanta certe non viderentur, si me ut sceleratum a te conservatum putarem. Quo modo autem tu de re publica bene meritus esses, cum tot sceleratos incolumi dignitate esse voluisses? Secessionem tu illam existimavisti, Caesar, initio, non bellum, neque hostile odium, sed civile discidium, utrisque cupientibus rem publicam salvam, sed partim consiliis, partim studiis a communi utilitate aberrantibus. Principum dignitas erat paene par, non par fortasse eorum, qui sequebantur; causa tum dubia, quod erat aliquid in utraque parte, quod probari posset; nunc melior ea iudicanda est, quam etiam di adiuverunt. Cognita vero clementia tua quis non eam victoriam probet, in qua occiderit nemo nisi armatus?

III. (§§ 20-28). *The 'tu quoque' argument of § 9 more fully worked out. A. (§§ 20-22) Tubero himself is more guilty than Ligarius. What need was there for him to go to Africa? He obeyed a powerless Senate, Ligarius a free Senate. 'I know, as a friend of the elder Tubero, that he might have pleaded ill health in excuse, and had indeed meant to do so. B. (§§ 22-25) Tubero complains of not having been admitted (by Varus not Ligarius) into the province; but had he been admitted, would he have handed it over to Caesar? such a proceeding would have been unjustifiable. And in fact it was before Pompeius that the Tiberones lodged their first complaint.'*

7. Sed ut omittam communem causam, veniamus ad 20. nostram. Utrum tandem existimas facilius fuisse, Tubero, Ligarium ex Africa exire an vos in Africam

- non venire? 'Poteramusne,' inquires, 'cum senatus censisset?' Si me consulis, nullo modo; sed tamen Ligarium senatus idem legaverat. Atque ille eo tempore paruit, cum parere senatui necesse erat; vos tum parvistis, cum paruit nemo, qui noluit. Reprehendo igitur? Minime vero. Neque enim licuit aliter vestro generi, nomini, familiae, disciplinae. Sed hoc non concedo, ut, quibus rebus gloriemini in vobis, easdem in aliis reprehendatis.
- 21 Tuberonis sors coniecta est ex senatus consulto, cum ipse non adesset, morbo etiam impediretur; statuerat excusare. Haec ego novi propter omnes necessitudines, quae mihi sunt cum L. Tuberone; domi una eruditi, militiae contubernales, post adfines, in omni denique vita familiares; magnum etiam vinculum, quod isdem studiis semper usi sumus. Scio igitur Tuberonem domi manere voluisse; sed ita quidam agebat, ita rei publicae sanctissimum nomen opponebat, ut, etiamsi aliter sentiret, verborum
- 22 tamen ipsorum pondus sustinere non posset. Cessit auctoritati amplissimi viri vel potius paruit; una est profectus cum iis, quorum erat una causa. Tardius iter fecit; itaque in Africam venit iam occupatam. Hinc in Ligarium crimen oritur vel ira potius. Nam, [si crimen est voluisse,] non minus magnum est vos Africam, arcem omnium provinciarum natam ad bellum contra hanc urbem gerendum, optinere voluisse quam aliquem se maluisse. Atque is tamen aliquis Ligarius non fuit; Varus imperium se
- 23 habere dicebat, fasces certe habebat. Sed quoquo modo se illud habet, haec querella [Tubero] vestra quid valet: 'Recepti in provinciam non sumus?' Quid, si essetis? Caesarine eam tradituri fuistis an contra Caesarem retenturi?

8. Vide, quid licentiae, Caesar, nobis tua liberalitas det

vel potius audaciae. Si responderit Tubero Africam, quo senatus eum sorsque miserat, tibi patrem suum traditurum fuisse, non dubitabo apud ipsum te, cuius id eum facere interfuit, gravissimis verbis eius consilium reprehendere. Non enim, si tibi ea res grata fuisset, esset etiam probata. Sed iam hoc totum omitto, non tam ne offendam tuas 24 patientissimas aures, quam ne Tubero, quod numquam cogitavit, facturum fuisse videatur. Veniebatis igitur in Africam, provinciam unam ex omnibus huic victoriae maxime infestam, in qua erat rex potentissimus inimicus huic causae, aliena voluntas conventus firmi atque magni. Quaero: Quid facturi fuistis? quamquam, quid facturi fueritis, dubitem, cum videam, quid feceritis? Prohibiti estis in provincia vestra pedem ponere, et prohibiti summa cum iniuria. Quo modo id tulistis? acceptae iniuriae querellam 25 ad quem detulistis? Nempe ad eum, cuius auctoritatem secuti in societatem belli veneratis. Quodsi Caesaris causa in provinciam veniebatis, ad eum profecto exclusi provincia venissetis. Venistis ad Pompeium. Quae est ergo apud Caesarem querella, cum eum accusetis, a quo queramini prohibitos esse vos contra Caesarem gerere bellum? Atque in hoc quidem vel cum mendacio, si vultis, glorie- mini per me licet, vos provinciam fuisse Caesari tradituros. Etiam si a Varo et a quibusdam aliis prohibiti estis, ego tamen confitebor culpam esse Ligari, qui vos tantae laudis occasione privaverit.

- C. (§§ 26-28). *But consider the stolid persistence of Tubero! He had appeared in his province with the credentials of the Senate, and had been driven from it with contumely by Varus. Yet he goes back to the party whose general had thus insulted him: and that too as a belligerent, at greater personal risk than most of the Pompeians.*

- 26 9. Sed vide, quaeso, Caesar, constantiam ornatissimi viri [Tuberonis], quam ego, quamvis ipse probarem, ut probo, tamen non commemorarem, nisi a te cognovissem in primis eam virtutem solere laudari. Quae fuit igitur umquam in ullo homine tanta constantia? Constantiam dico; nescio an melius patientiam possim dicere. Quotus enim istud quisque fecisset, ut, a quibus [partibus] in dissensione civili non esset receptus, esset etiam cum crudelitate reiectus, ad eos ipsos rediret? Magni cuiusdam animi atque eius viri, quem de suscepta causa propositaque sententia nulla contumelia, nulla vis, nullum
27 periculum possit depellere! Ut enim cetera paria Tuberoni cum Varo fuissent, honos, nobilitas, splendor, ingenium, quae nequaquam fuerunt, hoc certe praecipuum Tuberonis, quod iusto cum imperio ex senatus consulto in provinciam suam venerat. Hinc prohibitus non ad Caesarem, ne iratus, non domum, ne iners, non in aliquam regionem, ne condemnare causam illam, quam secutus erat, videretur; in Macedoniam ad Cn. Pompei castra venit in eam ipsam
28 causam, a qua erat reiectus iniuria. Quid? cum ista res nihil commovisset eius animum, ad quem veneratis, languidiore, credo, studio in causa fuistis; tantum modo in praesidiis eratis, animi vero a causa abhorrebant; an, ut fit in civilibus bellis . . . nec in vobis magis quam in reliquis? omnes enim vincendi studio tenebamur. Pacis equidem semper auctor fui, sed tum sero; erat enim amentis, cum aciem videres, pacem cogitare. Omnes, inquam, vincere volebamus, tu certe praecipue, qui in eum locum veneras, ubi tibi esset pereundum, nisi vicisses. Quamquam, ut nunc se res habet, non dubito, quin hanc salutem anteponas illi victoriae.

Close of the Tractatio (§ 29). *Tubero cannot be persecuting Ligarius on public grounds. Therefore his motive is private hatred, in which Caesar will not lend him his aid.*

10. Haec ego non dicerem, Tubero, si aut vos constantiae vestrae aut Caesarem beneficii sui paeniteret. Nunc quaero, utrum vestras iniurias an rei publicae persequamini. Si rei publicae, quid de vestra in illa causa perseverantia respondebitis? si vestras, videte, ne erretis, qui Caesarem vestris inimicis iratum fore putetis, cum ignoverit suis.

Deprecatio (§§ 29-38). *'I address myself to you, Caesar, on my client's behalf, as to a father not as to a judge. He pleads guilty and craves your fatherly forgiveness: because (§ 31) you have granted it already to others, for example, to myself: because (§§ 31-33) you regard the merits of a cause rather than the person of its advocate. In the present case, consider the distress of the Sabines, your old friends: of T. Brocchus and the other friends of Ligarius.'*

Itaque num tibi videor in causa Ligari esse occupatus, num de eius facto dicere? Quicquid dixi, ad unam summam referri volo vel humanitatis vel clementiae vel misericordiae. Causas, Caesar, egi multas equidem tecum, dum te in foro tenuit ratio honorum tuorum, certe numquam hoc modo: 'Ignoscite, iudices; erravit, lapsus est, non putavit; si umquam posthac.' Ad parentem sic agi solet, ad iudices: 'Non fecit, non cogitavit; falsi testes, fictum crimen.' Dic te, Caesar, de facto Ligari iudicem esse; quibus in praesidiis fuerit, quaere; taceo, ne haec quidem colligo, quae fortasse valerent etiam apud iudicem: 'Legatus ante bellum profectus, relictus in pace, bello oppressus, in eo ipso non acerbus; iam est totus animo ac studio tuus.' Ad iudicem sic agi solet, sed ego apud parentem loquor: 'Erravit,

temere fecit, paenitet; ad clementiam tuam confugio, delicti veniam peto, ut ignoscatur, oro.' Si nemo impetravit, arroganter, si plurimi, tu idem fer opem, qui spem
31 dedisti. . An sperandi Ligario causa non sit, cum mihi apud te locus sit etiam pro altero deprecandi? Quamquam nec in hac oratione spes est posita causae nec in eorum studiis, qui a te pro Ligario petunt tui necessarii.

11. Vidi enim et cognovi, quid maxime spectares, cum pro alicuius salute multi laborarent; causas apud te rogantium gratiosiores esse quam vultus, neque te spectare, quam tuus esset necessarius is, qui te oraret, sed quam illius, pro quo laboraret. Itaque tribuis tu quidem tuis ita multa, ut mihi beatiores illi videantur interdum, qui tua liberalitate fruuntur, quam tu ipse, qui illis tam multa concedas, sed video tamen apud te causas, ut dixi, valere plus quam preces, ab iisque te moveri maxime, quorum iustissimum videas dolorem in petendo.

32 In Q. Ligario conservando multis tu quidem gratum facies necessariis tuis, sed hoc, quaeso, considera, quod soles. Possum fortissimos viros, Sabinos, tibi probatissimos, totumque agrum Sabinum, florem Italiae ac robur rei publicae, proponere; nosti optimos homines. Animadverte horum omnium maestitiam et dolorem; huius T. Brocchi, de quo non dubito quid existimes, lacrimas squaloremque ipsius et filii vides. Quid de fratribus
33 dicam? Noli, Caesar, putare de unius capite nos agere; aut tres tibi Ligarii retinendi in civitate sunt aut tres ex civitate exterminandi. Nam quodvis exilium his est optatius quam patria, quam domus, quam di penates uno illo exulante. Si fraterne, si pie, si cum dolore faciunt, moveant te horum lacrimae, moveat pietas, moveat germanitas; valeat tua vox illa, quae vicit. Te enim dicere

audiebamus nos omnes adversarios putare, nisi qui nobiscum essent, te omnis, qui contra te non essent, tuos. Videsne igitur hunc splendorem omnium, hanc Brochorum domum, hunc L. Marcium, C. Caesetium, L. Corfidium, hos omnes equites Romanos, qui adsunt veste mutata, non solum notos tibi, verum etiam probatos viros, qui tecum fuerunt? Atque his irascebamur, hos requirebamus, his non nulli etiam minabamur. Conserva igitur tuis suos, ut, quem ad modum cetera, quae dicta sunt a te, sic hoc verissimum reperiatur.

(§§ 34-38). *Further pleas for forgiveness: such is the brotherly concord of the three Ligarii, that if Q. Ligarius had been in Italy he could not have adopted a different policy to that of his brothers. (§ 35) One of the brothers, T. Ligarius, has a distinct claim on Caesar's gratitude for past services. (§§ 37-38) 'Act then by these three brothers in the Forum as you recently acted by another distinguished man in the Curia.'*

12. Quodsi penitus perspicere posses concordiam Ligariorum, omnes fratres tecum iudicares fuisse. An potest quisquam dubitare, quin, si Q. Ligarius in Italia esse potuisset, in eadem sententia fuerit futurus, in qua fratres fuerunt? Quis est, qui horum consensum conspirantem et paene conflatum in hac prope aequalitate fraterna noverit, qui hoc non sentiat, quidvis prius futurum fuisse, quam ut hi fratres diversas sententias fortunasque sequerentur? Voluntate igitur omnes tecum fuerunt, tempestate abreptus est unus; qui si consilio id fecisset, esset eorum similis, quos tu tamen salvos esse voluisti. Sed ierit ad bellum, dissenserit non a te solum, verum etiam a fratribus; hi te orant tui. Equidem cum tuis omnibus negotiis interesssem, memoria teneo, qualis T. Ligarius quaestor urbanus fuerit erga te et dignitatem tuam. Sed parum est

- me hoc meminisse, spero etiam te, qui oblivisci nihil soles nisi iniurias, quoniam hoc est animi, quoniam etiam ingenii tui, te aliquid de huius illo quaestorio officio etiam de aliis quibusdam quaestoribus reminiscentem recordari.
- 36 Hic igitur T. Ligarius, qui tum nihil egit aliud (neque enim haec divinabat), nisi ut tui eum studiosum et bonum virum iudicares, nunc a te supplex fratris salutem petit. Quam huius admonitus officio cum utrisque his dederis, tres fratres optimos et integerrimos non solum sibi ipsos neque his tot ac talibus viris neque nobis necessariis tuis,
- 37 sed etiam rei publicae condonaveris. Fac igitur, quod de homine nobilissimo et clarissimo fecisti nuper in curia, nunc idem in foro de optimis et huic omni frequentiae probatissimis fratribus. Ut concessisti illum senatui, sic da hunc populo, cuius voluntatem carissimam semper habuisti, et, si ille dies tibi gloriosissimus, populo Romano gratissimus fuit, noli, obsecro, dubitare, C. Caesar, similem illi gloriae laudem quam saepissime quaerere. Nihil est tam populare quam bonitas, nulla de virtutibus tuis pluri-
- 38 mis nec admirabilior nec gratior misericordia est. Homines enim ad deos nulla re propius accedunt quam salutem hominibus dando.

Peroration (§ 38). 'What you do for Q. Ligarius, will be done for all here present.'

Nihil habet nec fortuna tua maius, quam ut possis, nec natura melius, quam ut velis servare quam plurimos. Longiorem orationem causa forsitan postulet, tua certe natura brevior. Quare, cum utilius esse arbitrer te ipsum quam me aut quemquam loqui tecum, finem iam faciam; tantum te admonebo, si illi absenti salutem dederis, praesentibus his omnibus daturum.

M. TULLI CICERONIS
PRO REGE DEIOTARO AD
C. CAESAREM ORATIO.

Exordium (§ 1). *I open the present case with even more than my wonted trepidation. A king, Deiotarus, the friend of the Republic, is impeached on a capital charge by his own grandson Castor: (§ 3) and a runaway slave gives evidence against his own master. (§§ 4, 5) My fears do not end there: I am pleading before Caesar, who is virtually judge in his own cause; not in a thronged Forum, but within the four walls of a house. (§ 6) You know, Caesar, what enthusiasm my defence of Deiotarus would enlist, were it public: (§ 7) and you will make allowance for deficiencies.*

1. Cum in omnibus causis gravioribus, C. Caesar, 1 initio dicendi commoveri soleam vehementius, quam videtur vel usus vel aetas mea postulare, tum in hac causa ita me multa perturbant, ut, quantum mea fides studii mihi adferat ad salutem regis Deiotari defendendam, tantum facultatis timor detrahat. Primum dico pro capite fortu-

nisque regis, quod ipsum etsi non iniquum est in tuo dumtaxat periculo, tamen est ita inusitatum regem reum
2 capitis esse, ut ante hoc tempus non sit auditum. Deinde eum regem, quem ornare antea cuncto cum senatu solebam pro perpetuis eius in nostram rem publicam meritis, nunc contra atrocissimum crimen cogor defendere. Accedit, ut accusatorum alterius crudelitate, alterius indignitate conturber. Crudelem Castorem, ne dicam sceleratum et impium, qui nepos avum in capitis discrimen adduxerit adulescentiaeque suae terrorem intulerit ei, cuius senectutem tueri et tegere debebat, commendationemque ineuntis aetatis ab impietate et scelere duxerit, avi servum corruptum praemiis ad accusandum dominum inpulerit, a legatorum
3 pedibus abduxerit! Fugitivi autem dominum accusantis, et dominum absentem et dominum amicissimum nostrae rei publicae, cum os videbam, cum verba audiebam, non tam adflitam regiam condicionem dolebam quam de fortunis communibus extimescebam. Nam, cum more maiorum de servo in dominum ne tormentis quidem quaeri liceat, in qua quaestione dolor elicere veram vocem possit etiam ab invito, exortus est servus, qui, quem in eculeo appellare non posset, eum accuset solutus.

4 **2.** Perturbat me, C. Caesar, etiam illud interdum, quod tamen, cum te penitus recognovi, timere desino; re enim iniquum est, sed tua sapientia fit aequissimum. Nam dicere apud eum de facinore, contra cuius vitam consilium facinoris inisse arguare, cum per se ipsum consideres, grave est; nemo enim fere est, qui sui periculi iudex non sibi se aequiorem quam reo praebeat. Sed tua, Caesar, praestans singularisque natura hunc mihi metum minuit. Non enim tam timeo, quid tu de rege Deiotaro,
5 quam intellego, quid de te ceteros velis iudicare. Moveor

etiam loci ipsius insolentia, quod tantam causam, quanta nulla umquam in disceptatione versata est, dico intra domesticos parietes, dico extra conventum et eam frequentiam, in qua oratorum studia niti solent; in tuis oculis, in tuo ore vultuque adquiesco, te unum intueor, ad te unum omnis mea spectat oratio; quae mihi ad spem optinendae veritatis gravissima sunt, ad motum animi et ad omnem impetum dicendi contentionemque leviora. Hanc enim causam, C. Caesar, si in foro dicerem eodem 6 audiente et disceptante te, quantam mihi alacritatem populi Romani concursus adferret! Quis enim civis ei regi non faveret, cuius omnem aetatem in populi Romani bellis consumptam esse meminisset? Spectarem curiam, intuerer forum, caelum denique testarer ipsum. Sic cum et deorum immortalium et populi Romani et senatus beneficia in regem Deiotarum recorderer, nullo modo mihi deesse posset oratio. Quae quoniam angustiora 7 parietes faciunt actioque maximae causae debilitatur loco, tuum est, Caesar, qui pro multis saepe dixisti, quid mihi nunc animi sit, ad te ipsum referre, quo facilius cum aequitas tua, tum audiendi diligentia minuat hanc perturbationem meam.

Sed antequam de accusatione ipsa dico, de accusatorum spe pauca dicam; qui cum videantur nec ingenio nec usu atque exercitatione rerum valere, tamen ad hanc causam non sine aliqua spe et cogitatione venerunt.

First Division of the Speech (§§ 8-14), to clear the ground for a refutation of the main charge.

(§ 8) *Caesar's displeasure against Deiotarus deprecated, by the tie of hospitality between them; 'had he only not joined Pompeius in person, you would never have complained at all. (§ 10) Deiotarus, a foreigner in a distant land, made the same mistake that we*

ourselves did, with less excuse, at Rome : in deference to the Senate. He heard nothing on your side of the question. (§ 12) Forgive him, Caesar, if he bowed to the authority of Pompeius, second in greatness only to yourself. (§ 13) He joined him in the hour of danger rather than of success ; after Pharsalus he left him, having satisfied his conscience. Thenceforward (§ 14) he served you, and was saluted by you as king.'

- 8 **3.** Iratum te regi Deiotaro fuisse non erant nescii ; adfectum illum quibusdam incommodis et detrimentis propter offensionem animi tui meminerant, teque cum huic iratum, tum sibi amicum esse cognoverant, cumque apud ipsum te de tuo periculo dicerent, fore putabant ut in exulcerato animo facile fictum crimen insideret. Quam ob rem hoc nos primum metu, Caesar, per fidem et constantiam et clementiam tuam libera, ne residere in te ullam partem iracundiae suspicemur. Per dexteram istam te oro, quam regi Deiotaro hospes hospiti porrexisti, istam, inquam, dexteram non [tam] in bellis nec in proeliis quam in promissis et fide firmiorem. Tu illius domum inire, tu vetus hospitium renovare voluisti ; te eius di penates acceperunt, te amicum et placatum [Deiotari]
- 9 regis arae focique viderunt. Cum facile orari, Caesar, tum semel exorari soles. Nemo umquam te placavit inimicus, qui ullas resedissee in te simultatis reliquias senserit. Quamquam cui sunt inauditae cum Deiotaro querellae tuae ? Numquam tu illum accusavisti ut hostem, sed ut amicum officio parum functum, quod propensior in Cn. Pompei amicitiam fuisset quam in tuam ; cui tamen ipsi rei veniam te daturum fuisse dicebas, si tum auxilia Pompeio vel si etiam filium misisset, ipse aetatis excusa-
- 10 tione usus esset. Ita cum maximis eum rebus liberares,
- (10) perparvam amicitiae culpam relinquebas. Itaque non

solum in eum non animadvertisti, sed omni metu liberavisti, hospitem agnovisti, regem reliquisti. Neque enim ille odio tui progressus est, sed errore communi lapsus est. Is rex, quem senatus hoc nomine saepe honorificentissimis decretis appellavisset, quique illum ordinem ab adulescentia gravissimum sanctissimumque duxisset, isdem rebus est perturbatus homo longinquus et alienigena, quibus nos in media re publica nati semperque versati.

4. Cum audiret senatus consentientis auctoritate arma 11 sumpta, consulibus, praetoribus, tribunis plebis, nobis imperatoribus rem publicam defendendam datam, movebatur animo et vir huic imperio amicissimus de salute populi Romani extimescebat, in qua etiam suam esse inclusam videbat. In summo tamen timore quiescendum sibi esse arbitrabatur. Maxime vero perturbatus est, ut audivit consules ex Italia profugisse omnesque consulares (sic enim ei nuntiabatur), cunctum senatum, totam Italiam esse effusam. Talibus enim nuntiis et rumoribus patebat ad orientem via, nec ulli veri subsequebantur. Nihil ille de condicionibus tuis, nihil de studio concordiae et pacis, nihil de conspiratione audiebat certorum hominum contra dignitatem tuam. Quae cum ita essent, tamen usque eo se tenuit, quoad a Cn. Pompeio ad eum legati litteraeque venerunt. Ignosce, ignosce, Caesar, si 12 eius viri auctoritati rex Deiotarus cessit, quem nos omnes secuti sumus; ad quem cum di atque homines omnia ornamenta congegissent, tum tu ipse plurima et maxima. Neque enim, si tuae res gestae ceterorum laudibus obscuritatem adtulerunt, idcirco Cn. Pompei memoriam amisimus. Quantum nomen eius fuerit, quantae opes, quanta in omni genere bellorum gloria, quanti honores populi Romani, quanti senatus, quanti tui, quis ignorat?

Tanto ille superiores vicerat gloria, quanto tu omnibus praestitisti. Itaque Cn. Pompei bella, victorias, triumphos, consulatus admirantes numerabamus, tuos enumerare non possumus.

- 13 **5.** Ad eum igitur rex Deiotarus venit hoc misero fatalique bello, quem antea iustis hostilibusque bellis adiuverat, quocum erat non hospitio solum, verum etiam familiaritate coniunctus, et venit vel rogatus ut amicus vel accersitus ut socius vel evocatus ut is, qui senatui parere didicisset, postremo venit ad fugientem, non ad insequentem, id est ad periculi, non ad victoriae societatem. Itaque Pharsalico proelio facto a Pompeio discessit; spem infinitam persequi noluit; vel officio, si quid debuerat, vel errori, si quid nescierat, satis factum esse duxit; domum se contulit teque Alexandrinum bellum gerente utilitatibus
- 14 tuis paruit. Ille exercitum Cn. Domiti, amplissimi viri, suis tectis et copiis sustentavit, ille Ephesum ad eum, quem tu ex tuis fidelissimum et probatissimum omnibus delegisti, pecuniam misit, ille iterum, ille tertio auctionibus factis pecuniam dedit, qua ad bellum uterere, ille corpus suum periculo obiecit tecumque in acie contra Pharnacem fuit tuumque hostem esse duxit suum. Quae quidem a te in eam partem accepta sunt, Caesar, ut eum amplissimo regis honore et nomine adfeceris.

Second Division (§§ 15-22): Refutation of the Charge. The argument from *probability* is used (probabile ex vita, drawn from the past character of the accused: § 17, p. ex causa, from the want of a motive for such a crime).

This Deiotarus is accused of having devised your murder at his own house. But, to say nothing of the monstrous guilt of it, it would have been the act of a madman. (§ 16) And he was the most deliberate of men. (§ 17) The charge is not even plausible. The

physician's story. I expected to hear about poison: (§ 18) but not a word of that: although it would have been quite in a physician's line. (§ 19) It is prettily conceived. 'Caesar's fortune saved him then.' After dinner, forsooth, the attempt could not be repeated. (§§ 20, 21) 'You will remember, Caesar, that there was no sign of bustle or discomposure.' Further explanations offered by the accuser for the breakdown of the plot.

Is igitur non modo a te periculo liberatus, sed etiam 15
honore amplissimo ornatus arguitur domi te suae inter-
ficere voluisse; quod tu, nisi eum furiosissimum iudices,
susplicari profecto non potes. Ut enim omittam, cuius
tanti sceleris fuerit in conspectu deorum penatium necare
hospitem, cuius tantae importunitatis omnium gentium
atque omnis memoriae clarissimum lumen extinguere,
cuius tantae ferocitatis victorem orbis terrarum non ex-
timescere, cuius tam inhumani et ingrati animi, a quo
rex appellatus esset, in eo tyrannum inveniri: ut haec
omittam, cuius tanti furoris fuit omnes reges, quorum
multi erant finitimi, omnes liberos populos, omnes socios,
omnes provincias, omnia denique omnium arma contra se
unum excitare? Quonam ille modo cum regno, cum
domo, cum coniuge, cum carissimo filio distractus esset
tanto scelere non modo perfecto, sed etiam cogitato?

6. At, credo, haec homo inconsultus et temerarius non 16
videbat. Quis consideratior illo, quis tectior, quis pru-
dentior? quamquam hoc loco Deiotarum non tam ingenio
et prudentia quam fide et religione vitae defendendum
puto. Nota tibi est hominis probitas, C. Caesar, noti
mores, nota constantia. Cui porro, qui modo populi
Romani nomen audivit, Deiotari integritas, gravitas, virtus,
fides non est audita? Quod igitur facinus nec in homi-
nem imprudentem caderet propter metum praesentis exitii

nec in facinerosum, nisi esset idem amentissimus, id vos et a viro optimo et ab homine minime stulto cogitatum
17 esse confingitis? At quam non modo non credibiliter, sed ne suspiciose quidem! 'Cum,' inquit, 'in castellum Peium venisses et domum regis hospitis tui devertisses, locus erat quidam, in quo erant ea composita, quibus te rex munere constituerat. Huc te e balneo, priusquam accumberes, ducere volebat. Erant enim armati, qui te interficerent, in eo ipso loco collocati.' En crimen, en causa, cur regem fugitivus, dominum servus accuset! Ego mehercules, Caesar, initio, cum est ad me ita causa delata, Phidippum medicum, servum regium, qui cum legatis missus esset, ab isto adulescente esse corruptum, hac sum suspicione percussus: 'Medicum indicem subornavit; finget videlicet aliquod crimen veneni.' Etsi a veritate longe, tamen a consuetudine criminandi non mul-
18 tum res abhorrebat. Quid ait medicus? Nihil de veneno. At id fieri potuit primum occultius in potione, in cibo; deinde etiam impunius fit, quod cum est factum, negari potest. Si palam te interemisset, omnium in se gentium non solum odia, sed etiam arma convertisset; si veneno, Iovis ille quidem hospitalis numen numquam celare potuisset, homines fortasse celasset. Quod igitur et conari occultius et efficere cautius potuit, id tibi et medico callido et servo, ut putabat, fidei non credidit; de armis, de
19 ferro, de insidiis celare te noluit? At quam festive crimen contextitur! 'Tua te,' inquit, 'eadem quae semper fortuna servavit; negavisti tum te inspicere velle.'

7. Quid postea? an Deiotarus re illo tempore non perfecta continuo dimisit exercitum? nullus erat alius insidiandi locus? At eodem te, cum cenavisses, redituum dixeras, itaque fecisti. Horam unam aut duas eodem

loco armatos, ut collocati fuerant, retinere magnum fuit? Cum in convivio comiter et iucunde fuisses, tum illuc isti, ut dixeras; quo in loco Deiotarum talem erga te cognovisti, qualis rex Attalus in P. Africanum fuit, cui magnificentissima dona, ut scriptum legimus, usque ad Numantiam misit ex Asia, quae Africanus inspectante exercitu accepit. Quod cum praesens Deiotarus regio et animo et more fecisset, tu in cubiculum discessisti. Obsecro, Caesar, repete illius temporis memoriam, pone 20 illum ante oculos diem, vultus hominum te intuentium atque admirantium recordare. Num quae trepidatio, num qui tumultus, num quid nisi modeste, nisi quiete, nisi ex hominis gravissimi et sanctissimi disciplina? Quid igitur causae excogitari potest, cur te lautum voluerit, cenatum noluerit occidere? 'In posterum,' inquit, 'diem distulit, ut, cum in castellum Blucium ventum esset, ibi cogitata perficeret.' Non video causam mutandi loci, sed tamen acta res criminoſe est. 'Cum,' inquit, 'vomere post cenam te velle dixisses, in balneum te ducere coeperunt; ibi enim erant insidiae. At te eadem tua fortuna servavit; in cubiculo malle dixisti.' Di te perduint, fugitive! ita non modo nequam et improbus, sed etiam fatuus et amens es. Quid? ille signa aënea in insidiis posuerat, quae e balneo in cubiculum transferri non possent? Habes crimina insidiarum; nihil enim dixit amplius. 'Horum,' inquit, 'eram conscius.' Quid tum? ita ille demens erat, ut eum, quem conscium tanti sceleris habebat, a se dimitteret, Romam etiam mitteret, ubi et inimicissimum sciret esse nepotem suum et C. Caesarem, cui fecisset insidias, praesertim cum is unus esset, qui posset de absente se indicare? 'Et fratres meos,' inquit, 22 'quod erant conscii, in vincla coniecit.' Cum igitur eos

vinciret, quos secum habebat, te solutum Romam mittebat, qui eadem scires, quae illos scire dicis?

Third division (§§ 22-34): charges which reinforced the main accusation: (a) *that Deiotarus had been on the watch for his opportunity*; (b) *that he had been mustering an army to act against Caesar. The latter charge (b) is taken first. Deiotarus could not maintain a large army if he wished.* (§ 23) *Again (c) that he ordered envoys to go to Caecilius, a Pompeian: they refused, and were arrested. A likely story truly!* (§ 24) *Another charge: (d) that Deiotarus sent but poor cavalry to support Caesar.*

8. Reliqua pars accusationis duplex fuit, una regem semper in speculis fuisse, cum a te esset animo alieno, altera exercitum eum contra te magnum comparasse. De exercitu dicam breviter ut cetera. Numquam eas copias rex Deiotarus habuit, quibus inferre bellum populo Romano posset, sed quibus fines suos ab excursionibus et latrociniiis tueretur et imperatoribus nostris auxilia mitteret. Atque antea quidem maiores copias alere
 23 poterat, nunc exiguas vix tueri potest. At misit ad Caecilium nescio quem; sed eos, quos misit, quod ire noluerunt, in vincla coniecit. Non quaero, quam veri simile sit aut non habuisse regem, quos mitteret, aut eos, quos misisset, non paruisse, aut, qui dicto audientes in tanta re non fuissent, eos victos potius quam necatos. Sed tamen, cum ad Caecilium mittebat, utrum causam illam victam esse nesciebat an Caecilium istum magnum hominem putabat? quem profecto is, qui optime nostros homines novit, vel quia non nosset, vel si nosset, contem-
 24 neret. Addit etiam illud, equites non optimos misisse. Credo, Caesar, nihil ad tuum equitatum, sed misit ex iis, quos habuit, electos. Ait nescio quem ex eo numero

servum iudicatum. Non arbitror, non audiui; sed in eo, etiamsi accidisset, culpam regis nullam fuisse arbitrarer.

(§§ 24-27). Answer to (b), [v. § 22]: '*Deiotarus expected that Caesar would find himself hemmed in at Alexandria.*' At any rate he was loyal to your cause in Asia all that time and during the African war: in spite of the story of his joy at a rumour that Cn. Domitius Calvinus had perished by shipwreck, and that you were besieged. (§§ 26-27) The accuser goes so far as to say that the king got drunk and danced at the news. This is contradicted by the whole tenour of Deiotarus' past life.

9. Alieno autem a te animo fuit quo modo? Speravit, credo, difficiles tibi Alexandriae fore exitus propter regionum naturam et fluminis. At eo tempore ipso pecuniam dedit, exercitum aluit, ei, quem Asiae praefecerat, in nulla re defuit; tibi victori non solum ad hospitium, sed ad periculum etiam atque ad aciem praesto fuit. Secutum bellum est Africanum. Graves de te 25 rumores, qui etiam furiosum illum Caecilium excitaverunt. Quo tum rex animo fuit, qui auctionatus sit seseque spoliare maluerit quam tibi pecuniam non subministrare? 'At eo,' inquit, 'tempore ipso Nicaeam Ephesumque mittebat, qui rumores Africanos exciperent et celeriter ad se referrent. Itaque, cum esset ei nuntiatum Domitium naufragio perisse, te in castello circumsederi, de Domitio dixit verum Graecum eadem sententia, qua etiam nos habemus Latinum:

Pereant amici, dum inimici una intércidant.'

Quod ille, si esset tibi inimicissimus, numquam tamen dixisset; ipse enim mansuetus, versus inmanis. Qui autem Domitio poterat esse amicus, qui tibi esset inimicus? Tibi porro inimicus cur esset, a quo cum vel interfici belli lege potuisset, regem et se et filium suum con-

- 26 stitutos esse meminisset? Quid deinde? furcifer quo progreditur? Ait hac laetitia Deiotarum elatum vino se obruisse in convivioque nudum saltavisse. Quae crux huic fugitivo potest satis supplicii adferre? Deiotarum saltantem quisquam aut ebrium vidit umquam? Omnes in illo sunt regiae virtutes, quod te, Caesar, ignorare non arbitror, sed praecipue singularis et admiranda frugalitas; etsi hoc verbo scio laudari regem non solere. Frugi hominem dici non multum habet laudis in rege; fortem, iustum, severum, gravem, magnanimum, largum, beneficium, liberalem, hae sunt regiae laudes, illa privata est. Ut volet quisque, accipiat; ego tamen frugalitatem, id est modestiam et temperantiam, virtutem maximam iudico. Haec in illo est ab ineunte aetate cum a cuncta Asia, cum a magistratibus legatisque nostris, tum ab equitibus Romanis, qui in Asia negotiati sunt, perspecta et cognita.
- 27 Multis ille quidem gradibus officiorum erga rem publicam nostram ad hoc regium nomen ascendit; sed tamen, quicquid a bellis populi Romani vacabat, cum hominibus nostris consuetudines, amicitias, res rationesque iungebat, ut non solum tetrarches nobilis, sed etiam optimus pater familias et diligentissimus agricola et pecuarius haberetur. Qui igitur adulescens nondum tanta gloria praeditus nihil umquam nisi severissime et gravissime fecerit, is ea existimatione eaque aetate saltavit?

Apostrophe to Castor (§§ 28-33). *'Well if you imitated your grandfather instead of slandering him by a truant slave! In the camp of Pompeius we used to admire the spirit of the old man, who had to be lifted into the saddle. But you showed a like ardour in the Pompeian cause, even after Pharsalus. Scarcely the right man to accuse Deiotarus of loyalty to Pompeius! (§ 30) You and your family were made by Deiotarus. And you*

should not in your animosity have set the laws of humanity at defiance, by arming a slave against his master. (§ 31) The case of Cn. Domitius: who refused to accept the evidence of the slave of M. Scaurus against his master. (§ 32) You plead that Phidippus has only once been bribed by you. Yes, and after giving his venal evidence, he acknowledged the fact.'

10. Imitari, Castor, potius avi mores disciplinamque 28
debebas quam optimo et clarissimo viro fugitivi ore male
dicere. Quodsi saltatorem avum habuisses neque eum
virum, unde pudoris pudicitiaeque exempla peterentur,
tamen hoc maledictum minime in illam aetatem conveni-
ret. Quibus ille studiis ab ineunte aetate se inbuerat,
non saltandi, sed bene ut armis, optime ut equis uteretur,
ea tamen illum cuncta iam exacta aetate defecerant.
Itaque Deiotarum cum plures in equum sustulissent, quod
haerere in eo senex posset, admirari solebamus; hic vero
adulescens, qui meus in Cilicia miles, in Graecia com-
milito fuit, cum in illo nostro exercitu equitaret cum suis
delectis equitibus, quos una cum eo ad Pompeium pater
miserat, quos concursus facere solebat, quam se iactare,
quam ostentare, quam nemini in illa causa studio et
cupiditate concedere! Cum vero exercitu amisso ego, 29
qui pacis semper auctor fui, [post Pharsalicum proelium]
suasor fuissem armorum non ponendorum, sed abicien-
dorum, hunc ad meam auctoritatem non potui adducere,
quod et ipse ardebat studio illius belli et patri satis facien-
dum esse arbitrabatur. Felix ista domus, quae non in-
punitatem solum adepta sit, sed accusandi etiam licentiam,
calamitosus Deiotarus, qui et ab eo, qui in isdem castris
fuerit, et non modo apud te, sed etiam a suis accusetur!
Vos vestra secunda fortuna, Castor, non potestis sine
propinquorum calamitate esse contenti?

- 30 **11.** Sint sane inimicitiae, quae esse non debebant (rex enim Deiotarus vestram familiam abiectam et obscuram e tenebris in lucem evocavit; quis tuum patrem antea, quis esset, quam cuius gener esset, audivit?); sed quamvis ingratis et impie necessitudinis nomen repudiaretis, tamen inimicitias hominum more gerere poteratis, non ficto crimine insectari, non expetere vitam, non capitis arcescere. Esto, concedatur haec quoque acerbitas et odii magnitudo; adeone, ut omnia vitae salutisque communis atque etiam humanitatis iura violentur? Servum sollicitare verbis, spe promissisque corrumpere, abducere domum, contra dominum armare, hoc est non uni propinquo, sed omnibus familiis nefarium bellum indicere. Nam ista corruptela servi si non modo impunita fuerit, sed etiam a tanta auctoritate adprobata, nulli parietes nostram salutem, nullae leges, nulla iura custodient. Ubi enim id, quod intus est atque nostrum, impune evolare potest contraque nos pugnare, fit in dominatu servitus, in servitute domi-
- 31 natus. O tempora, o mores! Cn. Domitius ille, quem nos pueri consulem, censorem, pontificem maximum vidimus, cum tribunus pl. M. Scaurum, principem civitatis, in iudicium populi vocavisset Scaurique servus ad eum clam domum venisset et crimina in dominum delaturum se esse dixisset, prendi hominem iussit ad Scaurumque deduci. Vide, quid intersit; etsi inique Castorem cum Domitio comparo; sed tamen ille inimico servum remisit, tu ab avo abduxisti; ille incorruptum audire noluit, tu corrupisti; ille adiutorem servum contra dominum repudiavit, tu etiam accusatorem adhibuisti. At semel iste est
- 32 corruptus a vobis. Nonne, cum esset productus et cum tecum fuisset, refugit ad legatos? nonne ad hunc Cn. Domitium venit? nonne audiente hoc Ser. Sulpicio,

clarissimo viro, qui tum casu apud Domitium cenabat, et hoc T. Torquato, optimo adolescente, se a te corruptum, tuis promissis in fraudem inpulsum esse confessus est?

12. Quae est ista tam impotens, tam crudelis, tam immoderata inhumanitas? Idcirco in hanc urbem venisti, ut huius urbis iura et exempla corrumperes domesticaque immanitate nostrae civitatis humanitatem inquinares?

Resuming from § 27 (§§ 33, 34). *‘Blesamius, one of the embassy, wrote to Deiotarus, that Caesar was considered a tyrant; that the placing of his statue among those of the kings had given general offence; and that he was not applauded at the games.’ The idle tattle of the town! A tyrant would have used his victory very differently. Again why grudge him his statues, any more than his trophies? As to applause: Caesar can always dispense with it.*

At quam acute collecta crimina! ‘Blesamius,’ inquit, **33** (eius enim nomine, optimi viri nec tibi ignoti, male dicebat tibi) ‘ad regem scribere solebat te in invidia esse, tyrannum existimari, statua inter reges posita animos hominum vehementer offensos, plaudi tibi non solere.’ Nonne intellegis, Caesar, ex urbanis malivolorum sermunculis haec ab istis esse collecta? Blesamius tyrannum Caesarem scriberet? Multorum enim capita civium viderat, multos iussu Caesaris vexatos, verberatos, necatos, multas afflictas et eversas domos, armatis militibus refer-tum forum. Quae semper in civili victoria sensimus, ea te victore non vidimus. Solus, inquam, es, C. Caesar, **34** cuius in victoria ceciderit nemo nisi armatus. Et, quem nos liberi, in summa populi Romani libertate nati non modo non tyrannum, sed etiam clementissimum in victoria ducem vidimus, is Blesamio, qui vivit in regno, tyrannus

videri potest? Nam de statua quis queritur, una praesertim, cum tam multas videat? Valde enim invidendum est eius statuis, cuius tropaeis non invidemus. Nam, si locus adfert invidiam, nullus [locus] est ad statuam quidem rostris clarior. De plausu autem quid respondeam? qui nec desideratus umquam in te est et non numquam obstupefactis hominibus ipsa admiratione compressus est et fortasse eo praetermissus, quia nihil vulgare te dignum videri potest.

Peroration (§§ 35-41). *'I should like to close my case by reconciling you completely to Deiotarus. Do not imagine that he bears you some grudge because you took away part of his dominions. The similar case of Antiochus. And you left to him and his son the kingly title. Moreover (§ 37) he retains the memory of decrees of the Senate and of generals of Rome made in his honour: and also the consciousness of his own virtue.' Caesar's own letter to him. (§ 39) It would create a widespread feeling of uneasiness if Caesar were to revoke his act of grace towards Deiotarus.*

- 35 **13.** Nihil a me arbitror praetermissum, sed aliquid ad extremam causae partem reservatum. Id autem aliquid est, te ut plane Deiotaro reconciliet oratio mea. Non enim iam metuo, ne tu illi suscenseas, illud vereor, ne tibi illum suscensere aliquid suspicere; quod abest longissime, mihi crede, Caesar. Quid enim retineat per te, meminit, non quid amiserit, neque se a te multatum arbitratur, sed, cum existimares multis tibi multa esse tribuenda, quo minus a se, qui in altera parte fuisset, ea
36 sumeres, non recusavit. Etenim, si Antiochus Magnus ille, rex Asiae, cum, posteaquam a L. Scipione devictus est, Tauro tenus regnare iussus esset omnemque hanc Asiam, quae est nunc nostra provincia, amisisset, dicere

est solitus benigne sibi a populo Romano esse factum, quod nimis magna procuratione liberatus modicis regni terminis uteretur, potest multo facilius se Deiotarus consolari. Ille enim furoris multam sustulerat, hic erroris. Omnia tu Deiotaro, Caesar, tribuisti, cum et ipsi et filio nomen regium concessisti. Hoc nomine retento atque servato nullum beneficium populi Romani, nullum iudicium de se senatus imminutum putat. Magno animo et erecto est nec umquam succumbet inimicis, ne fortunae quidem. Multa se arbitratur et peperisse ante factis et 37 habere in animo atque virtute, quae nullo modo possit amittere. Quae enim fortuna aut quis casus aut quae tanta possit iniuria omnium imperatorum de Deiotaro decreta delere? Ab omnibus enim est ornatus, qui, posteaquam in castris esse potuit per aetatem, in Asia, Cappadocia, Ponto, Cilicia, Syria bella gesserunt; senatus vero iudicia de illo tam multa tamque honorifica, quae publicis populi Romani litteris monumentisque consignata sunt, quae umquam vetustas obruet aut quae tanta delebit oblivio? Quid de virtute eius dicam, de magnitudine animi, gravitate, constantia? quae omnes docti atque sapientes summa, quidam etiam sola bona esse dixerunt, hisque non modo ad bene, sed etiam ad beate vivendum contentam esse virtutem. Haec ille reputans 38 et dies noctesque cogitans non modo tibi non suscenset (esset enim non solum ingratus, sed etiam amens), verum omnem tranquillitatem et quietem senectutis acceptam refert clementiae tuae.

14. Quo quidem animo cum antea fuit, tum non dubito, quin tuis litteris, quarum exemplum legi, quas ad eum Tarracone huic Blesamio dedisti, se magis etiam erexerit ab omni sollicitudine abstraxerit. Iubes enim

eum bene sperare et bono esse animo, quod scio te non
 39 frustra scribere solere. Memini enim isdem fere verbis
 ad me te scribere meque tuis litteris bene sperare non
 frustra esse iussum. Laboro equidem regis Deiotari
 causa, quocum mihi amicitiam res publica conciliavit,
 hospitium voluntas utriusque coniunxit, familiaritatem
 consuetudo attulit, summam vero necessitudinem magna
 eius officia in me et in exercitum meum effecerunt; sed
 cum de illo laboro, tum de multis amplissimis viris, quibus
 semel ignotum a te esse oportet nec beneficium tuum in
 dubium vocari nec haerere in animis hominum sollicitu-
 dinem sempiternam nec accidere, ut quisquam te timere
 incipiat eorum, qui sint semel a te liberati timore.

(§§ 40-41). 'You cannot conceive Deiotarus and his son as discrowned
 kings without pity.' Lastly, the members of the king's embassies,
 Blesamius and Antigonus, Dorylaeus, and Hieras, are ready
 to stand or fall with their master.—A final appeal to Caesar's
 clemency.

40 Non debeo, C. Caesar, quod fieri solet in tantis periculis,
 temptare, ecquonam modo dicendo misericordiam tuam
 commovere possim. Nihil opus est. Occurrere solet
 ipsa supplicibus et calamitosis nullius oratione evocata.
 Propone tibi duos reges et id animo contemplare, quod
 oculis non potes; dabis profecto id misericordiae, quod
 iracundiae denegasti. Multa sunt monimenta clementiae
 tuae, sed maxima eorum incolumitates, quibus salutem
 dedisti. Quae si in privatis gloriosa sunt, multo magis
 commemorabuntur in regibus. Semper regium nomen in
 hac civitate sanctum fuit, sociorum vero regum et amico-
 rum sanctissimum.

41 15. Quod nomen hi reges ne amitterent te victore,

timuerunt, retentum vero et a te confirmatum posteris etiam suis tradituros se esse confidunt. Corpora sua pro salute regum suorum hi legati tibi regii tradunt, Hieras et Blesamius et Antigonos, tibi nobisque omnibus iam diu noti, eademque fide et virtute praeditus Dorylaus, qui nuper cum Hiera legatus est ad te missus, cum regum amicissimi, tum tibi etiam, ut spero, probati. Exquire de 42 Blesamio, num quid ad regem contra dignitatem tuam scripserit. Hieras quidem causam omnem suscipit et criminibus illis pro rege se supponit reum. Memoriam tuam implorat, qua vales plurimum; negat umquam se a te in Deiotari tetrarchia pedem discessisse; in primis finibus tibi se praesto fuisse dicit, usque ad ultimos persecutum; cum e balneo exisses, tecum se fuisse, cum illa munera inspexisses cenatus, cum in cubiculo recubuisses, eandemque adsiduitatem tibi se praeberis postridie. Quam ob rem, si quid eorum, quae obiecta sunt, cogita- 43 tum sit, non recusat, quin id suum facinus iudices. Quocirca, C. Caesar, velim existimes hodierno die sententiam tuam aut cum summo dedecore miserrimam pestem importaturam esse regibus aut incolumem famam cum salute; quorum alterum optare illorum crudelitatis est, alterum conservare clementiae tuae.

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C I C E R O
ORATIONES CAESARIANAE

PRO MARCELLO. PRO LIGARIO
PRO REGE DEIOTARO

WITH INTRODUCTION AND NOTES

BY THE

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NOTES



ABBREVIATIONS.

R.=Roby's Lat. Grammar

K.=Kennedy's Revised Latin Primer.

P.V.=Postgate and Vince, New Latin Primer.

A.H.=Codex Ambrosianus (10th century), and Harleian MS. 2682 (11th century) collated by Mr. A. C. Clark (*Anecd. Oxon.*).

Momms. abr.=Mommsen abridged for Schools (Bryans and Hendy).

Eb.=Richter's edition revised by Eberhard (Teubner).

PRO MARCELLO.

INTRODUCTION.

I. § 1. On the authenticity of the Speech.—A Spanish Jesuit, Juan Andreu, was the first, in the year 1799, to question the authenticity of this speech on the ground of its excessive adulation of Caesar. But it was the great Homeric critic, F. A. Wolf¹, who first took up the problem seriously in all its bearings. He subjects the whole speech to a searching examination, involving (as it seems to us) a great deal of very captious criticism, and pronounces it finally 'void of matter; in words, sentences and constructions often scarcely Latin, in its whole structure pointless, foolish, absurd (*ineptam, stultam, ridiculam*); in a word, worthier of the fatuous emperor Claudius² than of Cicero. It must now be considered a certainty that these five speeches [the four 'post reditum' and the pro Marc.] are the work, not of Cicero, but of some rhetorician, written probably

¹ In his edition of this speech, M. Tulli Ciceronis quae vulgo fertur Oratio pro M. Marcello. Berlin, 1802.

² In reference to what Suetonius Claud. xli says of his compositions.

INTRODUCTION.

in the reign of Tiberius, some time earlier than Asconius.' The gauntlet thus thrown down was soon taken up by critics conservative in their various degrees. The first was Olaf Worm, who published an edition in the following year at Copenhagen, vindicating the speech against Wolf's onslaught, while acknowledging the presence in it of certain flaws of style and diction. Weiske followed with a yet more elaborate defence¹; which begins with an ironical proof (by Wolf's methods) that Wolf's edition itself is really the work of a pseudo-Wolf. The quarrel of the critics is still *sub iudice*. Great names have appeared on either side: for Wolf, among others stand Niebuhr, Orelli (who prints the pro Marcello at the end of the rhetorical works), and Kayser; on the conservative side, Drumann, Teuffel, Hahn, Klotz, Richter, C. F. W. Müller, and the master-critic Madvig.

§ 2. We can only give an outline of the evidence produced on either side.

(a) The numerous citations in the ancient Grammarians are in favour of the Ciceronian authorship of the pro Marcello. Though Quintilian does not refer to it (any more than he does to the pro Sulla or pro Sestio), it is cited by Nonius Marcellus, Arusianus Messius, Servius, Lactantius, Priscian and others, none of them, it is true, earlier than the third century A.D. But the not unfrequent form of quotation 'M. Tullius in Caesarianis'² implies a near relationship of the Marcelliana to the two unquestioned speeches with which we too associate it³.

(b) We have earlier evidence in some parallels with Valerius Maximus⁴ and with the Panegyrics of C. Plinius Secundus⁵; e.g. the use of *obstrepi* in § 9 is imitated in Val. Max. viii. 15. 8; *laterum oppositus* in § 32, Val. Max. iv. 7. 2 *oppositus corporum*; §§ 11, 12 the contrast between Caesar's trophies and his enduring glory is strikingly imitated in Plin. Pan. lv. 9 *arcus et statuas, aras etiam*

¹ Commentarius in or. M. T. Ciceronis pro M. Marcello. Leipzig, 1805.

² Non. Marcell. 437. 9 (Mercier); Serv. on Aen. v. 187, G. ii. 131.

³ The exact title is uncertain: the Grammarians quote it either as 'de M. Marcello' or 'pro M. Marcello'; a slight piece of evidence for the view that the speech was not published in Cicero's lifetime.

⁴ *Floruit circa* A.D. 26.

⁵ A.D. 100.

templaque demojitur et obscurat oblivio [cp. Marc. § 30] . . . contra, contemptor ambitionis et infinitae potestatis domitor ac frenator animus ipsa vetustate florescit: § 3 the use of fructum capere with ib. lxviii. 1, capis ergo, Caesar, salutis tuae gloriosissimum fructum ex consensu deorum. Many minuter parallels may be found in Val. Max. and Pliny (the Letters as well as the Panegyric)¹.

(c) Two passages in the philosophical treatises of B.C. 44, viz. de Amic. § 29 and de Senect. § 69, read as though they were expansions of sentences in pro Marc. § 9 and § 27 respectively. The impugnors of the speech have made a great deal of them: as though the parallelism could only be explained by deliberate transcription, and not by unconscious self-repetition. In the same way the coincidences of language with the Letters of the period (especially ad Fam. iv. 4) have been cited to prove that the pro Marcello is a sort of cento of Ciceronian sentences, a *declamatio* written by some student in the schools of the early Empire, and redolent of their rhetoric and philosophy.

§ 3. The arguments against the authenticity of the speech have been in part anticipated. They relate to *style* and to *subject-matter*.

(a) Wolf has drawn up a formidable indictment against the diction; after due allowance made for the imperfection of his text, there is a residuum of usages which must be pronounced not Ciceronian or at least ἀπαξ εἰρημένα in Cicero. We refer to § 4 flumen ingenii, § 8 victoriam temperare (but v. note there), § 9 use of obstrepi, § 10 use of obfudit, § 17 gladium vagina vacuum, § 21 quae (suspicio) providenda est, and perhaps the formula of resumption at the beginning of § 33.

(b) A certain artificiality of composition has been noted; the constant repetition of the same word, alliteration, and paronomasia. E.g. in § 12 vincere in different forms occurs nine times in eleven lines; so in § 8, with other alliteration. There is frequent parallelism or 'responson' of clauses. All this, it is said, is far more in the style of Cicero's earliest than of his later speeches². Would it not be truer to say that these, the simpler tricks of rhetoric, are just what

¹ V. Swanke Dissert. Inauguralis in Univ. Erlangensi. Bromberg, 1885.

² Schmid, Ueber die Frage der Echtheit der Rede p. Marc. Zürich, 1888, p. 51. An examination of the pro Milone would yield

INTRODUCTION.

we should expect in an impromptu speech transcribed pretty faithfully?

(c) The introduction of Stoic doctrines into the speech (§§ 19, 25, 27, 30) is criticised, as also betraying the hand of a rhetorician. And yet one passage in pro R. Deiot. is no less technical, viz. § 37.

(d) An elaborate argument seeks to establish the presence of anachronisms. In particular, the legislation demanded from Caesar in § 23 had been, if we may believe one critic¹, for some weeks in existence when Caesar pardoned Marcellus; which last event he assigns to the autumn (Sept.—Oct. B.C. 46) not the summer².

(e) A story of Plutarch's in reference to the delivery of the pro Ligario is held to exclude the existence of a Marcelliana: namely that when the orator appeared with his friend, Caesar said, 'What is there to prevent us from giving a hearing to Cicero *after this lapse of time* (ὀδὸν χρόνον), since the accused has long ago been adjudged a malignant and an enemy?' (Plut. Cic. 39.) The phrase in question is too vague to prove much: and the anecdotes of Plutarch are not always credible.

(f) The Speech has been attacked for its attitude both towards Caesar and towards the memory of Pompeius: for fulsome praise of the one, and disloyalty to the other³. Some want of taste, if we are to apply modern standards, must be conceded: our own oratory is more measured in its epithets. But the occasion, as Cicero conceived it, sufficiently accounts for his language. The vision of a restored *republic* rose before his eyes, when Caesar granted the pardon of the most stubborn of Pompeians to the prayers of the Senate⁴: it seemed to him the *μεγέτερος* in the drama of absolutism:

some evidence on the other side; v. § 91 facibus, falcibus, § 30 vi victa vis vel potius oppressa virtute audacia, § 32 adiuvantibus, coniventibus: and especially the constant antithesis of words and clauses throughout, e. g. § 52.

¹ Schmid, Ueber die Frage der Echtheit der Rede p. Marc. Zürich, 1888, p. 73.

² Schmid places ad Fam. vi. 14, in which Marcellus is not mentioned, before ad Fam. vi. 6, in which he is. He dates the former September 24 (new style); and applies the *arg. a silentio*; which is never conclusive.

³ Especially §§ 4, 7, 8 ad fin.; and §§ 14, 17.

⁴ Speciem aliquam videbar videre quasi reviviscentis rei publicae ad Fam. iv. 4, 3.

his despair of the republic had suddenly given place to confidence in her regenerator, his terror of proscription¹ and feeling of isolation to a sense of security and even dignity. This reaction of feeling explains what there is of hyperbole and declamatory emphasis in the speech. What seems artificial (cp. *supra* 2), is really natural in the highest degree. No one claims for Cicero a faculty of political prescience. But 'the eulogies which he showers upon Caesar, when we remember his design in bestowing them, lose to some degree the air of servility which has been made their reproach².'

§ 4. The Marcelliana can take care of itself. The critic may shake our faith by pointing out this and that flaw in its workmanship; we return to the speech itself and are reassured. But how are we to account for these 'egregio inspersos corpore naevos'? Eberhard suggests that the speech has come down to us exactly as it was taken down by shorthand writers in the senate³: and exhibits a few of the inaccuracies of improvisation. Again, it may have happened that Cicero draughted in the rough a copy of his speech after making it: and that for some reason (possibly the death of Marcellus or his own subsequent attitude towards Caesar) he never gave it a final revision for publication. Others—perhaps Tiro—may have published it after his death; so that here and there the hand of another may be traceable. It is significant that the exact title of the speech is uncertain. But this fact tells against rather than for the 'pseud-epigraphic' theory. In dealing with a similar question, Prof. Mahaffy has remarked (*Gk. Lit.* ii. 340) 'how signally German critics have their aesthetical judgments controlled by their critical conclusions, and in consequence how utterly unsafe they are as to questions of style.'

II. § 1. *Historical circumstances of the Speech.*—The occasion of this Speech was the pardon by Caesar of one of his most uncompromising enemies, M. Claudius Marcellus; it was delivered late in the summer of B.C. 46. The illustrious plebeian family of the Marcelli had already given Rome four consuls of note, the most

¹ V. ad Att. xi. 11 nihil est mali, quod non et sustineam et expectem; ad Att. xi. 20 et alia timenda sunt ab aliis, et ab hoc ipso quae dantur, ut a domino, rursus in eiusdem sunt potestate: ad Fam. vii. 3 *passim* on his attitude towards the extreme Pompeians, 'qui cum mens interitus nihil fuerit rei p. profuturus, criminis loco putent esse, quod vivam.'

² G. Boissier, *Cicéron*, p. 291.

³ Cp. Suet. *Caes.* 20.

INTRODUCTION.

famous being the conqueror of Syracuse¹, also a Marcus². The Marcellus of our Speech was a lifelong friend of Cicero's, as several letters testify; although by some twelve years his junior, attached to him by political sympathies and common pursuits. In Brut. § 249 the highest praise is awarded to his oratory, which he had exercised more than once in the defence of optimates, as of T. Annius Milo accused B.C. 56 *de vi* by P. Clodius. In B.C. 51 he was consul with Ser. Sulpicius Rufus and played a leading part in the diplomatic struggle between Caesar and the Senate, which served for little but to define the issues of the deadly war that followed. We are here only concerned with the action in it of Marcellus. Caesar's ten years of Gallic command ended properly on March 1, B.C. 49: he could not enter on the consulship he desired until Jan. 1, B.C. 48. It was his object to ensure himself against impeachment by retaining his command for those intervening ten months³. Marcellus accordingly, on the part of the Senate, proposed that Caesar should be superseded in Gaul on March 1 of B.C. 49: a proposal which Pompeius ultimately supported. Still, the actual naming of Caesar's successors (in his two provinces) being deferred to B.C. 50, M. had embittered Caesar against himself to no purpose. Worse than this, he inflicted a gross personal affront upon him, by scourging in Rome a citizen of Novum Comum, a Transpadane colony of Caesar's founding, bidding the unlucky wretch go show his scars to his patron⁴.

§ 2. The next time Marcellus appears in the arena of politics, his attitude is less militant and more respectful. He had begun to take the measure of his adversary. When the tribune Curio appeared on Jan. 1, 49 with Caesar's ultimatum, he proposed, though
B.C. 49, 2. in vain, that the Senate should suspend its judgment until the

¹ B.C. 212. Cp. also Verg. A. vi. 855 insignis spoliis Marcellus opimis.

² E. g. ad Fam. iv. 7. 1 amicitiae nostrae vetustas et tua summa erga me benevolentia, quae mihi iam a pueritia tua cognita est.

³ In B.C. 55 the lex Pompeia which extended his command had, in a special clause prohibited the discussion of a successor before March 1, 50; so that only the consuls of 49 could succeed him, and that of course on January 1, 48 (W. W. Fowler, Julius Caesar, p. 250). Hence the proposal of M. was a breach of faith with Caesar.

⁴ ad Att. v. 11, 2, Marcellus foede in Comensi: etsi ille magistratum non gesserat, erat tamen Transpadanus (as such, possessing Latin rights, whether he had Roman rights or not).

PRO MARCELLO.

Italian levies had been called out. He took little or no part in the civil war; having been among the first to leave Italy, he retired from the struggle after Pharsalus, equally disinclined to make his peace with the conqueror and to follow the desperate fortunes of the conquered. He withdrew into voluntary exile at Mytilene¹, and consoled himself during the next two years for the loss of country friends and means by the study of philosophy and rhetoric under Cratippus², as unwilling to receive a pardon as Caesar was to grant it. It was his brother, C. Marcellus, and Cicero who laboured most for his return³, to which his own consent was no less difficult to gain than that of Caesar. It has been asked why Cicero exerted himself thus for one who had not hitherto been an intimate friend. Partly, no doubt, he desired the presence of and counsel of one of the staunchest of the Pompeian party. But at this time, feeling that his own life at Rome was little better than exile⁴, he is not likely to have been so strongly affected by political considerations. More probably he wished to make some reparation to his party for his fainthearted withdrawal from the war, to justify his own position by inducing the most rigid of surviving Pompeians to accept a similar position, perhaps also to appear as the dispenser of the grace of the conqueror to the conquered.

§ 3. Be that as it may, it was in the summer of B.C. 46, after Caesar's fourfold triumph (over Gaul, Egypt, Pontus, and Africa), that the subject of Marcellus' restoration was raised in a meeting of the Senate by L. Piso, consul B.C. 58, and Caesar's stepson: C. Marcellus immediately threw himself at the dictator's feet, and the Senate rose in a body to support his petition. The scene has fortunately been described for us by Cicero himself in a letter to Ser. Sulpicius (ad Fam. iv. 4), of which an extract is appended⁵. Caesar, after contrasting unfavourably the rancorous spirit of Marcellus with the moderation of Sulpicius, and complaining of the personal danger to which he exposed himself by his leniency⁶, consented to the surprise of all, to waive his personal feelings in deference to the Senate's wish. It seems that upon this the question of Marcellus' restoration was formally put to the vote: this enabling the senators

¹ V. ad Fam. iv. 7 throughout.

² Brut. § 250.

³ ad Fam. iv. 7, 6.

⁴ ad Fam. vii. 3, 4.

⁵ v. Appendix.

⁶ pro Marc. § 21: not in the Letter.

in turn to thank the Dictator for his clemency. Cicero, who felt himself now shorn of his former greatness, had resolved never to speak again in the House. But 'on this glorious day' he was carried away by the magnanimity of the Dictator and the hopes of a restored republic which it inspired; he returned thanks, as he says, 'at some length' (*pluribus verbis*); and his eloquent utterance is preserved to us, as we believe, in the Marcelliana.

§ 4. Fate withheld what Caesar had so generously granted. M. Marcellus, whose acknowledgment of Cicero's services is extant (ad Fam. iv. 11), slowly and almost reluctantly set out for Rome. At Piræus, on May 23, B.C. 45, he met his colleague of B.C. 51, Ser. Sulpicius, then proconsul of Achaia. He had once been warned by Cicero of the 'license of the sword, in foreign parts more active and more unabashed'¹: and with only too much reason. Two days after his meeting with Sulpicius, he fell a victim to the knife of an assassin, one P. Magius Chilo, of his own suite, whose motive is unknown. The news was carried to his old colleague, who hastened to the place, only to find him some hours dead, but had his body burnt with all honour in the Academy, and charged the Athenians with the erection of a marble tomb to his memory. 'Ita vir clarissimus ab homine deterrimo acerbissima morte est adfectus, et cui inimici propter dignitatem pepercant, inventus est amicus, qui ei mortem offerret' (ad Fam. iv. 12, 2).

¹ ad Fam. iv. 9. 4.

NOTES.

Pro M. Marcello Oratio: the speech is not a defence but a panegyric. Cic. himself might have entitled it 'de M. Marcello restituto gratiae C. Caesari actae.' Writing to Ser. Sulpicius he says of it, 'pluribus verbis egi Caesari gratias' (ad Fam. iv. 4. 4). V. Introd. I. § 2 n.

- § 1. *quo eram his temporibus usus*, 'which I had of late observed.' The pluperf. refers the action to a further past; it is over and done with. Cp. Ligar. § 1 paratus veneram.

verecundia, 'natural reserve': explained by § 2 *nec mihi persuadere . . . distracto: as dolore by dolebam*, *ibid.*

idem, masc. 'at the same time'; qualifies the subject of two contrasted predicates (*finem attulit, initium attulit*). So § 11 *huius autem rei tu idem es et dux et comes*.

tantum . . . modum, 'such entire moderation in the most exalted station': lit. 'so great moderation in all things *in the case of* the highest official power.' Cp. *Deiot. § 1 in tuo periculo*: and *infra § 3 in multis*. Also the phrase *sine modo et modestia* 'without limit or restraint.'

sapientiam paene divinam, 'almost superhuman wisdom': attributed again to Caesar, §§ 8, 19 *infra*, and *Deiot. § 4*. It refers to that mastery over the passions (especially revenge) which should characterize the philosopher: v. *Lig. § 38*.

auctoritatem, here almost 'vote,' the expression of one's 'moral § 2. support.'

nec mihi persuadere . . . distracto: 'and I could not bring myself to regard it as possible or lawful for me to occupy my former field of work, after my partner and comrade had been torn from my side, the man who had emulated and imitated my studies and pursuits.' The *infin.* is justified by the latter of the governing verbs: but for a *Ciceronian ex. of infin. after suadeo* v. R. 1345.

interclusam, 'closed against me,' keeps up the metaphor of a 'course' (*curriculum*) which had to be cleared. In *signum . . . sustulisti* there is a change to a military metaphor. A red or white flag (properly *vexillum*), hung out from the general's tent, was the signal for marching out to battle, or to the founding of a colony; for the former cp. *Liv. xxii. 45* Varro nihil consulto collega signum proposuit, for the latter *Cic. Phil. ii. § 102* Casilinum coloniam deduxisti, ut vexillum tolleres.

mihi, dative of the person 'concerned in the action,' or the (so-called) dat. of the agent: for the limits of its use v. R. 1146, K. 222, P. V. 138.

concessisti, 'yielded Marcellus to the prayers of the Senate': cp. the use of *condono*, as *non sibi ac defensionis suae condonatum esse Oppianicum* (*Cluent. 109*), 'had not been pardoned out of consideration for himself.'

iudicio tuo gravissimo et maximo, 'your strongly-expressed and significant verdict.' The simple adjectives *magnus, summus, tantus*, often require a more definite rendering in English: *magnum crimen*, 'a serious charge.'

merito, an adverb.

aut ullo laudis genere, 'or in any other praiseworthy quality.'

nullius, classical gen. of *nemo*; cp. the abl. *nullo* § 13 (R. 372

K. 101 n 2, P. V. 282). For the double gen., depending on *flumen*, cp. Lig. § 12 *studia familiae vestrae virtutis*: but the governing noun generally, as here, stands between the genitives. The subjective gen. (as in both cases) usually precedes the obj. gen.

flumen ingenii, cp. *flumen orationis*, and Juvenal (of Cicero and Demosthenes) *utrumque | largus et exundans leto dedit ingenii fons*, and Gray, 'And froze the genial current of the soul.' So quasi quidam *aestus ingenii tui* Cic. de Orat. iii. § 145. Cp. Introd. I. § 3 a.

non dicam (sometimes *non modo*) . . . *sed*, a descent from a stronger to a weaker term, 'I will not say, dignify, but merely, describe': *exornare*, ornate, *enarrare*, plene dicere (Eb.).

- § 5. *ante oculos ponere*, 'call up in thought': in Phil. ii. § 115 it is equivalent to *recordari*, in Deiot. § 20 to *repetere memoriam*. Generally used with dat. of personal pronoun, or with possessive pron. (*ponite ante oculos vobis* or *vestros*).

celeritate conficiendi: 'that element of warfare, the treatment of which serves to distinguish military genius from the mere ordinary ability of an officer—the rapid movement of masses,' Mommsen (Eng. tr.) vol. iv, part ii, p. 453. Cp. Caesar's *veni, vidi, vici*.

Notice the change of tense in *potuisse*, 'Nor could anyone have marched over countries the most widely separated in less time than you have taken to triumph over them, I might have said, to overrun them in triumph': *passus* applicable to an ordinary march, *cursus* to a forced march.

sunt, indic. in spite of the oratio obliqua; but after a main verb in the first person (*soleo . . . usurpare sermonibus*) the mood of direct statement often slips in.

- § 6. *ita magna . . . ut ea vix cuiusquam*, etc., 'greater than mind or thought can conceive': English adopts the more exaggerated form of expression. Cp. Deiot. § 5.

communicare cum multis, etc., 'to give a share in them to various people, instead of making them the exclusive property of the general': *communes ducibus cum multis aliis facere*. Cp. n. on § 22 *communis*. This use of *communicare* has been attacked: for usually it implies 'to give another a share of *what one has oneself*.' Still the antithesis justifies the slight stretch of usage.

locorum opportunitas, 'a favourable position': v. n. on Deiot. § 15 *importunitas*. Caesar himself would have been the last man to deny the part played by 'Fortune' in his campaigns: e.g. B. G. vi. 35 *hic, quantum in bello fortuna possit et quantos afferat casus, cognosci potuit*. 'The feeling was never absent from his heart that in all things fortune, that is to say accident, must bestow success;

and with this may be connected the circumstance that he so often played a desperate game with destiny' (Mommson l.c.).

quantumcumque est, 'whatever it amounts to,' is ambiguous, § 7. often implying a small amount; hence the next words, 'and it does amount to something very considerable.' Contrast the sense in Verg. Aen. i. 78 *tu mihi quodcumque hoc regni . . concilias*, 'this little kingdom.'

inquam, generally inserted when the same word (or idea) is reiterated: cp. infra § 28; Lig. § 15 *quam tu per te, per te, inquam obtines*; Deiot. § 8.

istius gloriæ, viz. 'which you have just won by your act of magnanimity': *n.* on Lig. § 10.

tuam esse, sc. *istam gloriam*. 'That the praise of it is wholly and inalienably yours.'

numquam temeritas . . commiscetur, neque . . admittitur; there is a parallelism of meaning between the clauses. 'For venturesomeness will never blend with prudence: and hazard does not enter into a wisely-laid plan.'

inmanitate barbaras instead of *inm. barbara* to preserve the symmetry of the phrases. *Inmanis* (in-, manus) from meaning 'unmanageable' comes to mean 'savage' 'barbarous': as the old word *manus* (whence 'Manes' good spirits) meant 'good'; cp. *χειρόφθς*, *mansuetus*, *εὐχεφθς*. So Lig. § 11 *inmanes barbari*. Of things, 'inhuman,' versus; Deiot. § 25, cp. ib. § 32.

copiarum, 'resources'; so Deiot. § 14.

condicio (from *condico*, 'stipulate') (a) 'terms offered' as in Deiot. § 11: (b) 'conditions' in a logical sense: the fact or facts which are involved in anything and must be accepted with it; Marc. § 12 *ipsius victoriae c.*: (c) hence 'position' or 'situation,' never quite 'state': *regia c.* Deiot. § 3: (d) 'constitution,' coupled with *natura* and almost its equivalent here. The sentence implies, strictly speaking, that in conquering himself Caesar won a victory which in the natural order of things is impossible; it is skilfully turned by the conclusion that Caesar is *simillimus deo*: although we may think such language tasteless exaggeration.

victoriae, most MSS. — *am*: 'to be moderate in the use of a victory': the dat. is read on the authority of the grammarian Arusianus Messius, who says 'temperat huic, Cicero de M. Marcello.' *Tempero* and *moderor* with the dat. mean 'to restrain,' with the accus. 'to govern.' [But two MSS. give *victum*, and AH *victo*, the latter perhaps right according to Müller and Mr. Clark.]

amplificare . . dignitatem: cp. § 3, and Caesar's words, as

quoted (cp. ad Fam. iv. 4, 3) se senatui roganti ne hominis quidem causa ('in consideration of the personal character of M.') negaturum.

- § 9. *illae* is redundant, merely sharpening the antithesis of *celebrantur quidem* with what follows (*sed tamen*, etc.). Cp. infra § 11: Lig. § 30: Deiot. § 27.

obstrepi clamore militum, 'to be drowned by the cries of battle.' This personal use of *obstrepo* in the passive is a *ἀπαρξ ἐλπημένον* in Cicero.

- § 10. *ut . . velis*, 'whose mind and thoughts we see reflected in your face, *how* you wish.' *Ut* explains *mentem sensusque*, with which *os* must be taken closely. Faërus conjectures *sensusque eos* needlessly.

parietes . . gratias agere gestiunt: a favourite hyperbole in Cic., ascribing emotion or utterance to inanimate nature. Cp. Cluent. § 15 (*nonne timuisse*) *parietes ipsos*, *superiorum testes nuptiarum*: Mil. § 20 the fields themselves mourn the loss of a beneficent citizen. Common of course in poetry: cp. Hor. C. iv. 11. 6—

ridet argento domus: ara castis

vincta verbenis avel immolato

spargier agno.

illa auctoritas = *vir illa auctoritate praeditus*, referring to Marcellus: 'his honoured presence.' A strong instance of 'res pro persona' (abstract for concrete). Cp. the well-known

virtus Scipiadae et mitis sapientia Laeli,

and *ἐπεὶ ἴς Τηλεμάχοιο*: there we find the original form of the idiom, in which the genitive of the person is conjoined (v. infr. § 13: Lig. § 33). Here the abstract noun by itself is so concrete that *suorum, suis* refer to the person involved in it. Cp. Deiot. § 30 a *tanta auctoritate*: Mil. § 101 *haec tanta virtus ex hac urbe expelletur?*

C. Marcelli, own brother of M. Marcellus, consul B. C. 49: it has been supposed from Phil. xiii. § 29 (which, however, does not necessarily imply this), that he died soon after leaving Italy. In ad Att. xv. 3 he is mentioned as alive in B. C. 44. We need not therefore suppose that this *optimus et amantissimus frater* (infra § 34) was his *first cousin* Caius, cos. B. C. 50.

omnium Marcellorum meum pectus memoria obfudit: a very strange expression if it stands as Cicero wrote it. We can say (e.g.) *oculis tenebras offundere* 'to shed darkness on the eyes'; and by an inversion may say *oculos tenebris offundere*. Thus *memoria* is the abl. 'C. Marcellus flooded my heart with memories of all the Marcelli': a turgid metaphor, but *laorimas* suggests it. (There is absolutely nothing to support the view that *obfudit* can in sense

and construction be the equivalent of *perfudit* 'steeped,' and that thus *memoria* is nominative case. In Tac. Ann. xi. 31 we have eo pavore offusum Claudium: of which the active form would be not pavor offundit Claudium, but offundo Claudium eo pavore).

nobilissimamque familiam = et quorum n. f. Cp. *n.* on Deiot. § 37.

maximis et innumerabilibus; a positive adj. can be coupled § 11. with a superlative, if itself superl. in sense. Cp. Verr. ii. 4. § 64 *eximium ac pulcherrimum facinus*.

gratulationibus = supplicationibus, 'days of thanksgiving.' In B.C. 57 the Senate decreed a supplicatio of fifteen days for Caesar's victories in Gaul, in B.C. 55 and again B.C. 52 others of twenty days each; in B.C. 46 another of forty days after his victory in Africa. (In Catil. iv. § 10 *quaesitori gratulationem decrevit* repeats *mihi supplicationem decrevit* just above.)

illae quidem, cp. § 9 *note*: *idem*, cp. § 1 *note*.

florescit: we should have expected the subj., dependent on § 12. *ut* above: the sense being 'which is so great an achievement, that whereas time must bring your trophies to an end . . . this justice and clemency of yours enjoys a daily increasing renown.' But the parenthesis breaks the flow of the sentence; and we have a sort of anacoluthon; natural enough in an impromptu speech. (The best MSS. exhibit a well-meant correction, *ut nulla tropaeis*, etc.: on which the conjecture, *ut si ulla tropaeis* . . . at haec . . . *florescat*, is based).

detrahet . . . *adferat*: the same antithesis in Deiot. § 1 (*ubi v. n.*).

laudibus: the plur. is preferred to the sing. *laudi* for the sake of correspondence with the plur. *operibus*: each *opus* has its own *laus*. Cp. Hor. C. i. 6. 11 *laudes egregii Caesaris*, 'praises.' So *supra* §§ 6, 10. Again (*b*) *laudes* sometimes = 'praiseworthy deeds': v. Deiot. § 12, *infra* § 30, or (*c*) 'praiseworthy qualities': *quod omnis laudes habet*, *id est optimum de opt. gen. or.* § 6.

vereor ut, R. 1652, K. 417 n. 4, P. V. 397.

ipsam victoriam vicissae videris: victory, like fortune and time, is sometimes represented as a personal force acting upon men, not a mere bundle of circumstances. So Cic. can write: *tu quid doleat scribere audes*, *nos ne id quidem tuto possumus*, *neque id victoris vitio*, *sed ipsius victoriae*, *quae civilibus bellis semper est insolens*: ad Fam. iv. 4. 3.

occidissemus, 'had perished,' lit. : i.e. 'were as good as lost men.'

recte unus invictus [es]: several MSS. (as AH) omit *es*: it scarcely suits with *recte*: Müller would rather supply *diceris*.

§ 13. *fato nescio quo*, 'mysterious fatality.' Lig. § 17 *fatalis quaedam calamitas*.

erroris, gen. of definition, R. 1302, K. 248, P. V. 143. Cp. the well-known plea of Ovid—

*caelestique viro quis me deceperit error
dicite, pro culpa ne scelus esse putet.*

humani, apologetic. So in Ter. *humanumst* 'it is a failing of humanity.'

cum . . . conservavit . . . induxit: the causal subj. (*conservaverit*) might have been used with *cum*. But the indic. construction is far more forcible, identifying the acts: 'in having preserved, he has (*ipso facto*) introduced.' So Deiot. § 36, R. 1729 (Prof. Hale, The cum-constructions, Part ii. p. 223, may very well be consulted). Where does the apodosis begin?

quorum et frequentiam et dignitatem . . . videtis, 'whom you see in large numbers and in full enjoyment of their dignities.' Cp. *n.* on § 10 *illa auctoritas*.

hostes, sc. *patriae*: 'traitors.' Thus Q. Ligarius was accused before Caesar on what was virtually a charge of perduellio.

cupiditate, 'personal ambition': the opposite of *integritas* 'purity of motives.' It is the discreditable aspect of *spes* (§ 14). So in § 20 *infra*, Lig. §§ 3, 17. The word may also mean (a) 'party feeling,' Lig. § 3 init. where in the chiasmus it answers to *studii sui*: (b) 'partiality' of judgment. Marc. § 29: cp. the phrase *omnia alicui cupere*.

§ 14. In a digression Cic. defends his own conduct. Cp. ad Fam. vii. 3. 6 'I wished to tell you, if only by letter, what to say if you should meet my calumniators: there are some who, though my death could not have done the state any good, think that I may fairly be called to account for being alive.'

de pace audiendum, sc. *esse nobis*, 'we ought to entertain any peace-proposals.'

orationem civium: he means himself; *pacis semper auctor fui* Lig. § 28, Deiot. § 29.

hominem, very emphatic; 'the man Pompeius' as opposed to 'P. the general.' So Cic. writes to P., 'I do not complain that my plan [viz. further negotiation] was not adopted: I followed yours, not in the cause of the Republic, of which I despaired . . . but I sought you, I wished to be with you' (ad Att. viii. 11. 6).

grati animi fidelis memoria, 'a gratitude too loyal to forget.' Elsewhere he writes, 'I was afraid to fail Pompeius in his hour of need, when he on a past occasion had not failed me in mine' (ad Fam. vi. 6. 6).

prudens et sciens, 'with my eyes open.' So ad Fam. l. c. ut in fabulis Amphiaras, sic ego prudens et sciens 'ad pestem ante oculos positam' sum profectus.

integra re, 'before the die was cast.' Literal meaning of *in-* § 15.
teger? Cp. Lig. § 1 n.

sensi, of political views.

tam iniustus existimator rerum, 'so unfair in his judgments': so § 22 **tam ignarus rerum**, 'so blind.'

ceteris fuerit iratior; we should subordinate instead of co-ordinating: 'while he was very angry with the rest.'

qui . . . diligit, is . . . declarat, 'in that he shows his esteem, he declares.' The causal subj. might have been used with *qui*. Cp. what was said on § 13, cum . . . conservavit. *Here* the actors are identified, and thereby the acts.

huius . . . rei, sc. pacis auctorem fuisse.

§ 18.

certorum hominum, as in Deiot. § 11, 'of certain men who shall be nameless': such as L. Lentulus and L. Domitius Ahenobarbus (Momms. iv. II. pp. 396–398, Momms. abr. p. 460).

liberalitas, 'handsome conduct': *liberalis* properly expresses the attributes of a 'free born citizen': hence used (a) of generosity in giving, a regia laus (Deiot. § 26): (b) of generous behaviour (e. g. to opponents), as here and § 19 *infra*, also Lig. §§ 6, 23, 31: (c) of 'liberal pursuits' as opposed to servilia opera, liberalissima studia pro Arch. § 9.—The earlier sense 'handsome in appearance' is found in Plaut., e. g. pulcer et l., Mil. Gl. i. 1. 60.

gladium vagina vacuum, a sort of hypallage not unnatural in extempore speaking. Corn. Nepos has vagina nudatum (Dat. xi. 4). Cp. use of plenus in Sex. Rosc. § 6 in pecuniam tam plenam invaserit.

§ 17.

excitaret, 'would raise,' for the normal excitaturus fuerit: the subj. may be said to do double duty here, as hypothetical and as following quin: in such a case the substituted apodosis is usually preferred (R. 1521, P. V. § 420). But the construction may be justified by the simple force of the imperf.; si f. posset . . . excitabat, 'if it had been at the time possible, he was ready to raise.'

partis, how governed?

quidam enim, etc.: the letters belonging to the time of the § 18.
first civil war are full of this: even of Pompeius himself Cicero says 'sullaturit animus eius et proscripserit iam diu' (ad Att. ix. 10. 6).

qui . . . excitaverunt, 'in that they raised': an *indicative* *qui*-clause may *tacitly* convey a reason, which a subj. *qui*-clause would

convey explicitly. So Phil. ii. § 96 nos contemnendi, *qui* auctorem odimus, acta defendimus¹.

§ 19. bono, as in summum bonum, a 'blessing' or 'possession.'

ex quo . . . sapienti: the idea is the same as in Aristotle's words, on the good man's friendship with himself—'he desires to live with himself: for the memories of his past actions are delightful to him, and the hopes of his future are good' (Eth. N. ix. 4. 5). Thus below, *summa bona* expresses the view of the Peripatetics, *sola* of the Stoics.

a Virtute: as personified, R. 1221.

§ 20. cupiditate, § 13 n.

specie . . . rei publicae, 'some vision of a free republic': *species* generally objective, 'a semblance,' here subjective, answering as it does to *opinione*.

contraque, 'but rather': after the negative sentence; the use of a copulative instead of an adversative particle is common. Hor. C. iii. 30. 6 non omnis moriar multaue pars mei | vitabit Libitinam.

§ 21. nunc marks more distinctly than *iam* the introduction of a new division in the speech, for its temporal sense never leaves it. So Quint. § 91 nunc causa perorata etc., where it marks the peroration.

atrocissimam: cp. Deiot. § 2, atrocissimum crimen, 'formidable.' The idea of *ater* 'lowering' (*atra tempestas*) is present in the word: sometimes it means 'relentless,' as in Verg. A. i. 662 urit a. Iuno, Hor. C. ii. 1. 24 praeter atrocem animum Catonis.

The expression *providenda est suspicio* is severely criticised by Wolf, but it is not unnatural in an extempore speech. It is, of course, the *occasion* of the suspicion against which 'precautions are to be taken.' *Providenda* = *praecavenda*.

spero with pres. infin. means 'believe,' 'trust,' or (as Lig. § 35 'feel sure') unless the infin. verb contains in itself the idea of futurity, e.g. *posse*, *appropinquare*.

an ex hoc numero, qui una tecum fuerunt? is a corrected statement of the question de *tuisne*? For the Ciceronian idiom *ex hoc n. qui fuerunt* = *ex horum n. q. f.*; cp. Deiot. § 24 *ex eo numero* = *ex eorum numero*.

ullo: the oblique cases are sometimes substantival; v. *exx.* in R. 2279, 2280.

omnia summa, 'everything that can be thought of': de Orat. ii. § 85, cum o. s. fecerit, tamen ad mediocris oratores esse venturus.

¹ V. Prof. Hale, The cum-Constructions, Part II, p. 104.



sua pertinacia vitam amiserunt: in Africa; Momms. iv. II. 441-445, Momms. abr. 475-477.

qui fuerunt (end of §), sc. *inimici et supersunt*.

tantae latebrae sint et tanti recessus, 'such hidden recesses.' § 22. *sane*, concessive, 'by all means': Deiot. § 30: *diligentiam* 'vigilance.'

rerum means 'of the course of things,' if it be expressed in English at all: cf. § 15; verbal nouns in *-tio* often require it, e.g. Deiot. § 7 *exercitatione rerum*.

nihil . . . cogitans: the whole phrase is treated as an adjective and therefore can be qualified by *tam*.

unius tua, a virtual apposition = *unius tui* (possessive gen.). So *mea, tua* etc. *ipsius*. The possessive pronoun has a wider range of usage in Latin and Greek than in English. Thus it may stand for the subjective or objective gen. of the personal pronoun: *desiderium tuum*, 'the longing which you feel' or 'longing for you,' according to the context; *litterae tuae*, 'a letter from you.' It may also be antecedent to a relative, *nostra qui remansissemus caede* Catil. i. § 7. V. Lig. § 8.

casus dumtaxat humanos, 'am simply afraid of the accidents of human life,' as distinguished from the special dangers of conspiracy, &c. Suetonius speaks of Caesar's weak health, twice taking the form of epilepsy (Iul. chh. 45, 86). For *dumtaxat* cp. Deiot. § 1.

communis: prop. 'in which all have a share': cp. *n.* on § 6 *communicare* and my *n.* on Cluent. § 4.

cum res publica . . . consistere, 'that whereas the life of the state ought to be imperishable, it should be bound up with one man's perishable life.'

sceleris . . . insidiarumque consensio, a kind of hendiadys = § 23. *scelesti insidiarum consensio*: 'a wicked conspiracy to waylay you,' that is 'the plots of wicked conspirators.'

cupiat, for the mood v. R. 1776, P.V. § 218.

excitanda, iacere, 'to be revived,' 'languish': same antithesis as § 8 *extollere iacentem*.

constituenda, etc., 'the law courts have to be established, credit has to be restored, shameful luxury put down, the growth of population fostered, and the binding force of rigorous laws is wanted wherever there is disintegration and decay.'

in tanto civili bello, 'in the case of': *in* giving the whole situation or circumstances of the action; a common use. Hor. C. iv. 4. 4 *expertus fidelem Iuppiter in Ganymede flavo* 'in carrying off.'—So

also in tanto animorum ardore, 'where indignation and martial spirit had risen so high.' Cp. § 1 *supra* in summa potestate.

ornamenta dignitatis, 'the trappings of her pride': referring to the vectigalia paid by the subjects of Rome, and perhaps also to temples and public works. (So de imp. Cn. Pomp. § 6 vectigalia are called pacis ornamenta et subsidia belli, and in Leg. Agr. ii. § 80 the same expressions are applied to the ager Campanus). The word *ornamentum* often denotes 'outfit' rather than 'ornament.'

- § 25. satis . . . naturae, so Cluent. § 29 et naturae et legibus satis fecit, 'has paid the debt of nature': and Phil. xiv. 31 fortunata mors, quae naturae debita pro patria est potissimum reddita. *Natura* here = nature, as the course or order of things, rather than as the sum of things: but it has both meanings, like Lucretius' rerum natura. Cp. § 27 naturam ipsam expleveris, 'the law of nature.'

sapiens = φιλόσοφος: v. note on § 1.

tibi satis: v. Suet. Iul. ch. lxxxvi, neque voluisse se diutius vivere neque curasse quod valitudine minus prospera uteretur, and below non tam sua quam rei publicae interesse, uti salvus esset: se iam pridem potentiae gloriaeque abunde adeptum.

credo, sc. ita te sentire.

audirem, 'should listen to what you say,' almost equal to probarem. So Plautus has audio in answers, 'Good!' 'agreed!': Terence, Heaut. v. 5. 12 Ch. uxorem ut ducas. Cl. pater! Ch. nihil audio, 'I will not listen to you!' (Wolf missing this force of the word and making audirem = crederem, finds the words self-contradictory.)

fundamenta . . . quae cogitas, brachylogy for f. eorum operum quae c. The expression is metaphorical; but peculiarly appropriate to Caesar's projects, many of which (as the forum Iulium and the temple of Venus Genetrix) were wrought in stone and mortar.

hic . . . defines, 'and are you in your position going to fix the limit of your life not by the requirements of the public welfare, but by the dictates of a philosophic indifference?' sc. the ἀπάθεια of the Stoics, an indifference to external goods.

- § 26. parumne . . . 'Then, you will say, shall we be leaving behind us too small a work accomplished?' Immo vero contradicts the real sense of this ('I have done work enough'), 'nay, but': and this is the common force of *immo*. Sometimes it corrects rather than contradicts; Catil. i. § 2 vivit? immo vero in senatum venit, 'lives? nay he comes into the senate,' where (so to speak) the pitch of the previous statement is raised.

quodsi rerum, etc., 'but if your immortal achievements have

been destined to such an issue as this, that after the overthrow of your antagonists you should allow the state to rest in its present position.' The sequence (perfect proper followed by imperf. subj.) is noteworthy, but is now recognised in all good grammars: it must be remembered that after all the perf. proper and the aorist (or historical perfect) are denoted by one and the same form in Latin: v. P.V. § 389 (a), R. 1510 (Allen, Lat. Gr. § 207, and Sonnenschein, Parallel Gr. 519, 520).

status, not 'state' but a 'fixed position' or 'posture': Leg. Agr. i. § 26 si status hic rei publicae maneat.

vide . . . ne . . . sit habitura, 'I am afraid it is likely to have'; so Phil. ii. § 35 vide, quaeso, ne haereas, 'I am afraid you may find the question embarrassing' (Mayor's *n.*): also R. 1656: P.V. § 397, vide being a verb of *fearing* in this use.

admirationis plus sit habitura; the periphrasis supplies a passive to admirari: cp. the phrases—in suspicionem venire, odio esse, usui esse.

inlustris ac pervagata . . . fama, 'bright and wide-spread renown.' Observe the artistic order of the words—an inner and an outer bracket: the prepositional phrase in suos . . . hominum is bracketed between the noun which it qualifies (**meritorium**) and its adj. **magnum**: the bracket **magnum . . . meritorium** is bracketed between the governing noun fama and its adjectives, with this modification, that *meritorium* as a sonorous word is allowed to stand *outside* the bracket, ending the sentence. Cp. Postgate, Sermo Latinus, p. 31.

pars, 'part' of the play, i.e. act: not a 'part' in the play, which § 27. would be *partes*. Cp. de Senect. § 5 where ceterae partes aetatis are opposed to *extremus actus*.—For the stage-metaphor cp. Thuc. ii. 42 (Pericles' Funeral Speech) ἡ τὴν τῶνδε καταστροφή, 'the closing scene of their lives.'

restat, v. § 32 *n.*: Lig. § 5 *n.*

cum et patriae . . . vivendi, 'when you have met the claims of your country upon you, and more than satisfied the mere law of nature.'

dicito, fut. imperative so-called, frequent in the language of law and maxim, from a certain formality of tone, 'you may say.' R. 1495.

hoc ipsum serves as a kind of article to introduce *diu*: cp. its use with *infin.* hoc ipsum nihil agere me delectat. Cic. de Orat. § 24.

extremum, a subst. = *finis*; **futura** an adj. here like **praeterita**. The sentiment is more clearly expressed in de Senect. § 69 mihi ne

diuturnum quidem quicquam videtur in quo est aliquid extremum, 'nothing seems to me even so much as long, if it has an end to it.'

quamquam, 'and yet,' a mere particle of transition, introducing a correction, or reservation from the previous statement. R. 2215.

- § 28. *illa, inquam, illa vita est tua*: the usual order is *illa illa inquam*: v. § 7 *note* and *reff.*

aeternitas, an equivalent for 'eternity' in most phrases: so Tusc. i. 94 confer nostram longissimam aetatem cum aeternitate. But 'for all eternity' is in perpetuum or in aeternum.

huic, sc. posterity to all time.

pugnas innumerabiles, incredibiles victorias, a chiasmus, or 'crossing' of opposites. V. R. § 1051, P.V. § 438. 4.

munera, 'largesses'; cp. the technical meaning 'a gladiatorial show' as given by the aedile to the people; v. Lewis and Short.

- § 29. *nisi belli civilis incendium salute patriae restinxeris*: 'unless you stifle the smouldering remnants of civil war by the restoration of your country's liberties': a bold metaphor: cp. pro Mur. § 51 *id* (*incendium*) *se non aqua sed ruina restincturum*.

cupiditate, v. § 13.

quidam, the Epicureans—and Caesar himself, if his speech in the debate on the fate of the Catilinarian conspirators be historical—'mortem cuncta mortalium mala dissolvere; ultra neque curae neque gaudio locum esse.' Sall. Cat. li. *Falso* therefore was bracketed by Weiske: it is too dogmatic for Cicero, is inconsistent with the fut. *pertinebit*, and calculated to offend Caesar.

voluntates, 'political leanings.' Cp. with the whole passage Lig. § 19.

non enim . . . dissidebamus, 'it was not merely a conflict of policy and partisanship, but of drawn swords and opposing camps.'

obscuritas, 'perplexity': cp. Lig. l. c. *causa dubia*. The word has become subjective: cp. *indignitas* 'indignation,' in Livy.—In what follows, higher motives (duty, honour) are given in contrast with lower (expediency, fear of consequences).

- § 31. *eosdem*, 'for that simple reason.'

profudit: Hor. C. i. 12. 37 *animaeque magnae prodigum Paullum*.

quae enim . . . potest: this gives the reason for *ille melior sit*: better those who fought to the bitter end [the Pompeians in Africa] than those who accepted Caesar's pardon and then plotted against him: 'for what some people may consider in them obstinacy, others (including themselves) may consider fidelity.'

- § 32. *fracta est armis victoris, extincta est aequitate victoris*.

restat, lit. 'it is left over,' 'remains to be done.' Cp. § 27; Verg. A. x. 29 *mea volnera restant*. For the *ut v. P. V. § 454. 2*, K. § 415, R. 1700.

aliquid, 'a certain allowance,' as opposed on the one hand to *nihil*, on the other to *plurimum*. In such a case as this, *quicquam* might have been used, but the expression would have had a different value.

haec, 'the country.'

excubias, sentries bivouacking before a camp, &c.; **custodias**, a watch stationed at a certain point, e.g. the door of a house; so Mil. § 67 of the special protection afforded to Pompeius—*excubiae, vigiliae, delecta iuventus quae tuum corpus domumque custodit*. The following year Caesar 'rejected the proposal of the Senate to institute a select guard, and contented himself with the retinue of lictors sanctioned by traditional usage for the Roman supreme magistrates.' Mommsen.

est orsa, absolutely used, not passive.

maiores, but for the antithesis, the singular would be used—**§ 33.** *gratiam habere*, 'the feeling of gratitude' (so *gratiam referre*), whereas *gratiae* = 'words of gratitude' (*gratias agere*).

stantibus sententiam dicere is opposed to *sedentem adsentiri* or *verbo adsentiri*: a senator only rose if he wished to speak at length to the motion. Cp. ad Fam. v. 2 (Watson 5) § 9.

quod fieri decet . . . sentio answers to *omnes idem sentiunt* above: **quod autem** to the end, to *a me certe dici volunt*.

mea, 'on my part,' really qualifying the antecedent *benivolentiae*. **§ 34.** **ut vix . . . nemini**, 'so that I scarcely came second to his brother in this respect, but certainly to no one else.'

cumulus accesserit: cp. the expressions *ad cumulum*, 'to crown all,' *cumulatus*, 'topped,' i.e. perfect; *cumulus* is the summit of the heap. Cp. Cluent. § 74 (my note).

PRO Q. LIGARIO.

INTRODUCTION.

§ 1. As the pro Marcello stands alone among the speeches of Cicero as an example of the panegyric or rather *gratiarum actio*, so the pro Ligario is the only *deprecatio*, or appeal to mercy, which he has left us. The speech was greatly admired by the ancients and is constantly quoted by Quintilian. The occasion which called it forth may be briefly described.

§ 2. Q. Ligarius, an eques of Sabine family, went to Africa in B.C. 50 as legate to the propraetor, C. Considius Longus, who at the beginning of the following year left the province in his charge until the arrival of a successor. The civil war broke out, and a former propraetor of Africa, P. Attius Varus, who had lost the first battle of the war (at Auximum in Picenum), took refuge in his old province, and at once assumed its command in the interest of Pompeius. Ligarius readily accepted this new superior and was charged by him with the defence of the coast. Meanwhile, however, the Senate, acting according to constitutional usage, had nominated a successor to Considius, who was L. Aelius Tubero, father of the accuser in the present case. Ligarius, acting under the orders of Varus, forbade Tubero to enter the harbour of Utica, and even to take water on board, and set his ailing son Quintus on shore. The Tuberones accordingly betook themselves to the camp of Pompeius and were in arms against Caesar until they received his pardon after the battle of Pharsalus. This was no doubt readily granted to men of their literary ability and traditions. Q. Tubero, nephew of Scipio Africanus Minor, had been a famous Stoic; the elder Tubero was a distinguished historian, and his son (the accuser) afterwards made his name as a jurist.

§ 3. Ligarius remained in Africa, perhaps the fiercest of all the battle grounds of the Pompeian faction, taking no very prominent

INTRODUCTION.

part in the struggle; in which Varus, Q. Metellus Scipio, and M. Cato (Uticensis), aided by king Juba of Numidia, commanded for Pompeius, and M. Curio for Caesar. After the battle of Thapsus (April 6, B.C. 46) he received his life from Caesar, but without permission to return to Rome. His brothers and friends, Cicero in particular, for some time exerted themselves in vain to procure this for him. It was not unnatural that the conqueror should let those obstinate foes wait for their pardon, who had kept him waiting so long for their submission¹. Finally, on September 23, 46, the Dictator gave an audience to the intercessors. The brothers and relatives fell at his feet; Cicero spoke for them. The reply given them was friendly but undecided². Whatever hopes had been aroused were however speedily dashed to the ground. Q. Tubero the younger preferred against Ligarius a charge of *perduellio* or high treason, under a somewhat antiquated statute, in the Dictator's court.

§ 4. The indictment showed that the defendant, by persevering in arms even after the death of Pompeius, had taken the side of Juba a foreign prince against the Roman people³. Caesar sat in the Forum, after the manner of the ancient kings, whose supreme jurisdiction he now assumed⁴. Such offences were usually tried before the *quaestio perpetua de maiestate*; but at this time, as it appears from Suetonius⁵, there was no praetor in existence to preside in that court. No other merely technical reason can be assigned for the choice of process made by the accuser. It is evident from § 13 of the speech that the sentence he asked was one of continued exile, not the death penalty, which the full rigour of the law allowed: but the fact that the defendant could not appear to plead his cause might well entitle him to this much consideration.

The case came into court probably before the end of B.C. 46, certainly before Caesar's departure for Spain. The friends of Ligarius

¹ ad Fam. vi. 13. 3.

² ad Fam. vi. 14. 2.

³ Quint. xi. 1. 80.

⁴ Momms. IV. ii. 482, 483. In § 12 at istud ne apud eum quidem dictatorem sqq. it is implied that Sulla as dictator exercised a similar jurisdiction.

⁵ Jul. Caesar, c. 76. The old process by which *duumviri perduellionis* were specially named for such a case was obsolete. Cp. Mr. Heitland, *Introd. to Cic. pro Rabirio*, pp. 8, 9.

naturally turned once more to Cicero for his advocacy; and its effect upon the Dictator has been vividly described by Plutarch¹; how at first he assumed an air of indifference to argument; but how, as the orator proceeded, his colour came and went, and his agitation increased, till at the mention of the battle of Pharsalus his excitement caused him to drop some papers which he was holding. It was a splendid triumph of sheer eloquence. Caesar acquitted Ligarius, who shewed his gratitude only by joining the conspiracy of Brutus and Cassius, and finally fell a victim to the proscription of B.C. 43.

Of the three 'Caesarian Speeches' the pro Ligario seems to us to stand highest as a masterpiece of art. The orator begins by steering clear of the reefs which might have wrecked his case: by admitting the charge and then with remorseless logic retorting it upon the accuser himself. If Ligarius is guilty, Tubero is yet guiltier: notwithstanding this, Tubero who has received a free pardon, would fain have Ligarius punished with death. This gives Cicero an opportunity both of pronouncing a spirited 'apologia' for the Pompeian party (Lig. §§ 17, 18), and of contrasting the clemency of Caesar with the cruelty of Tubero. A historian of Rome has well remarked, 'Only a Cicero could have combined, under such trying conditions, the dignity and independence of the republican with the nicety and reserve of the courtier².'

¹ In the passage already cited, p. 6.

² Drumann, Gesch. Roms. III. 708.

NOTES.

§ 1. **novum**, of course ironical.

propinquus meus: a diplomatic touch. The orator feels that the claims of persecuted worth are higher than those of relationship. In § 8 he exaggerates the nearness of the connexion. Probably L. Tubero, father of the accuser, had married a Tullia.

idque C. Pansa . . ., 'and Pansa, though he is a man of excellent parts, did not fear to admit it, but perhaps he was emboldened by his intimacy with you': still ironical. *Vir* and *homo* in apposi-

NOTES : CHAP. I. § 1-II. § 5.

tion supply the place of *ἄν* in Greek; so Milo § 21 *sed homo sapiens . . . multa vidit*, 'but sagacious as he was.'

cum tu . . . potuisses, 'thinking that you did not know'; virtually oblique and in dependence on *paratus*. Caesar would appreciate the irony better than Q. Tubero.

abuterer, 'use up'; 'to profit by your ignorance to save an unfortunate man.' Cp. *absorbeo*, *absumo*.

esset, subj. imperf. after perf., Marc. § 26 n. *Integrum*, 'an open question,' v. Marc. § 15 n.

habes igitur, Tubero, quoted by Quintilian (iv. 1. 67) as an ex. § 2. of *apostrophe*, by which the speaker turns away from the jury or judge and 'apostrophises' someone else.

te : by attraction. Cp. de Sen. § 1 *te suspicor isdem rebus quibus me ipsum interdum gravius commoveri*, 'I fancy that you are disturbed by the same things by which I am myself.'

civibus, Roman citizens; *sociis*, provincials.

alium : he would naturally have been succeeded by his quaestor. Cicero slips into his statement of facts (*narratio*) more than one argument in Ligarius' favour.

cupiditate, v. n. on Marc. § 13.

salutis, *studii* answer to *timore*, *cupiditate* (chiasmus), and are differently related to *ducem*. 'Some were carried away by partisan feeling, others blinded by their fears; at first the thought of peril, then that of party, led them to look for a chief.'

cum . . . passus est : for '*cum inversum*' v. K. § 434, R. 1733.

optinuerat, 'had held' at a previous time as *propraetor* (pro praetore more strictly). V. Intro. § 2.

nullo publico consilio, cp. § 27 *iusto cum imperio ex senatus consilio*. A *lex curiata* was necessary to confer imperium.

Observe that Cicero might have said *non modo ad bellum, sed ne ad minimam quidem suspicionem belli est egressus*. If the common predicate stands in the *latter* of the clauses, the negative in the former clause may be omitted.

ei, referred by some commentators to Ligarius; if *ut* gives the objective result, this is grammatically possible. But it is better to refer it to *provincia* : 'he so acted as to make it the interest of the province that the peace should not be broken.' (Quintilian, quoting in iv. 2. 108, substitutes *illi*; which is in favour of this view.)

habuit, sc. *in se*, 'was due to.'

quod, acc. of time.

restitit, 'stayed behind'; cp. *remansio supra*, and v. Marc. § 32.

an here, as often, is almost = *num*, the former of the alternative

questions being suppressed. 'Am I right in saying it was of necessity, or . . . ?'

incredibilem quendam, 'quite inconceivable': *hic*, adverb.

- § 6. *cuius ego*: Cicero is fond of bringing pronouns into juxtaposition; so *infra*, *tuae mihi apud te*; § 33 *ipsum te cuius id eum*. For *fide* cp. *note* on *Deiot.* § 1.

defendit, pregnant use, *defendendi causa dicit* 'says in defence': cp. *turbare* (turbando facere) *bellum*, *excusare*, *contendo* (contenta voce dicere), 'raise my voice.'

in ea voluntate, not=*in ea parte* § 2 (as Halm). Ligarius belonged to the same party as Cicero and Tubero, not however of his own choice but by the force of circumstances.

tacitas, 'unexpressed': so *tacita opinio*, *t. expectatio*.

quanta lux . . . oboriatur = 'how bright is the dawning of my hopes as I plead at the tribunal of one so generous and wise as you are.' *Lux* and *spes* are often connected: Verg. A. ii. 281 *O lux Dardaniae*, *spes o fidissima Teucrum*. For *sapientiae* v. Marc.

§ 1 n.

contendam, v. n. on *defendit* supra.

exaudiat, 'hear clearly' every syllable¹.

- § 7. *gesto etiam ex parte magna*: the war began in January, B.C. 49, Cicero joined Pompeius in June, by which time Caesar was master of Italy. Quintilian has observed that the orator here disguises flattery under an air of extreme outspokenness (*ὑπερηβολή*).

ad me ex Aegypto litteras misit: after Pharsalus Cicero retired to Brundisium, waited there in uncertainty as to Caesar's intentions towards himself (November, B.C. 48, to September, B.C. 47); about June he received from him a letter which did not satisfy him (*exigue scripta* ad Att. xi. 16), but in August another (*satis liberales*, ad Fam. xiv. 23, letter to his wife) to which he probably here refers; and in September, when Caesar landed, he waited on him and was well received.

eum ipse . . . passus est; as proconsul of Cilicia, Cicero gained some successes over the tribes of Mount Amanus, and was saluted imperator by his troops. For this reason, after his return, January 4, B.C. 49, he retained the laureate fasces and abstained from entering the city, hoping for the triumph which never came, until B.C. 47 (cp. *Deiot.* § 11). Caesar received the title of imperator for life (*perpetuus*) in B.C. 46; but he was allowed to use it as a praenomen, and so the Emperors subsequently.

¹ pro Planc. § 97 Holden.

tum denique . . . reddere, si . . . dedisset: or. recta, tum denique reddo si dedi.

vide, sq., apostrophe: *n.* on § 2. ut introd. dependent question. § 8.
qui . . . non dubitem, subj. of contrast after the relative (qui = quamvis), as often, but not invariably: the tendency to assimilation of mood operates also here; so *infra*, dicoerem (sense being 'when I shall speak'). With this reading the sentence is ironical: 'I who hesitate not to confess my own fault dare not, forsooth, acknowledge that of L.'; the real fact being (§ 9) that it was no fault to have been in Africa. But Quint. (v. 10, 93) reads *de Ligarii audeam dicere*, and so also Codd. A H., 'I do not hesitate to speak of what I did, and so I venture to say that L. was in Africa.'

propinquam cognationem, *n.* on § 1: Cicero assumes an air of patronage towards his young antagonist.

ad meum aliquem fructum, 'that in the glory of a young kinsman I have some degree of personal interest.' For the use of the possessive pronoun 'profit to me,' cp. tuo cum maximo malo, and such phrases. V. Marc. § 22 *n.*

sed hoc quaero, breaking off and returning to the main subject; § 9.
'however my question is this.' et ipse, like Ligarius. et certe, emphasising (in Ligarius' favour) one point of difference between the career of Tubero and that of Ligarius. (Cicero ignores Thapsus, in which surely Ligarius must have fought). The unusual phrasing contra Caesarem (instead of cum) enforces the thought.

acie Pharsalica, the expression occurs for the first time here. Quintilian notes four figures of speech in this passage: *apostrophe*, *metaphor* (sensus armorum tuorum, 'the intention,' personifying the arms); *rhetorical question*, and its amplification by *accumulation* (congeries or συναρροισμός) of synonymous words and thoughts. (Quint. ix. 2, 38: viii. 4, 27: viii. 6, 12: viii. 4, 26).

quæ tua mens, etc., 'on what was your strong resolve, those eyes, that arm, that fiery spirit bent?' So in Greek τίς, as in τίνας ποθ' ἔδρας τάδε μοι θαύσετε;

'what means this your suppliant session?' Soph. O. T. 2.

hie, Caesar. Cp. *n.* on § 7 *init.*

eorum ipsorum, transposed to emphasise the 'argumentum ex contrario.'

quod esset, interrogative. The charge of Tubero is cited by Quintilian as an instance of the 'genus turpe causarum.'

isto modo, 'as you have done.' The reference to the second person in *iste* can seldom be neglected in translating; cp. *infra*

§ 10.

§ 12, and Marcell. 21 iste tam demens, 'the insane plotter *whom you suppose*': ib. § 7.

aut, 'or at any rate': *parem*, Tubero would not have assented to this, for, according to Quintilian (xi. 1, 78) he accused Ligarius of having stayed in Africa, not as a Pompeian, but in order to fight under the banner of the Numidian King Juba against the Roman people.

§ 11. *prodigii*, not merely a 'marvel,' but 'something contrary to nature.'

levium . . . inmanium: *gravitas* and *clementia* are Roman qualities by contrast.

consobrini properly = 'sons of sisters' (*con-sororini*): but often extended (as here) to denote any 'first *cousins*' (i.e. also *amitini*). Cp. the extension of the derivative in English and French to denote 'relations' in general. *avunculo*: contrast *patruus*.

§ 12. *at istud*, etc., v. *Introductio* § 4 *note*. Sense of the passage: 'Such conduct as yours finds no parallel, not even under Sulla's reign of terror.'

postulante = *accusante* (*n.* on § 17); *praemia*, a price of two talents set on each proscribed person's head.

ab hoc eodem: in B.C. 64 Caesar as judge in the assassination court (*iudex quaestionis inter sicarios*) entertained, in despite of an exempting proviso of the *lex Cornelia de sicariis*, charges against some of the agents of the Sullan proscriptions.

studia generis . . . virtutis, dupl. gen.; v. *Marc.* § 4 *note*.

omnia, emphatic 'without exception.' For the facts, v. *Introductio*

§ 2 end.

§ 13. *sit*, MSS., unnecessarily emended *est* by Wesenberg. V. K. 469, P. V. †217 B.

an, 'perhaps that he should not be pardoned' almost = *num* (*n.* on § 5 *supra*): this *expressed* alternative being too shocking to be stated as a fact. Exile was regarded as a living death: so Ovid of his own departure for Tomi—

femina virque meo, pueri quoque funere maerent.

Subject of *ignoscatur*?

huius: cp. *hic* § 10.

supplicium voce prohibebis, 'forbid us the privilege of supplication.'

§ 14. *faceremus*, conditional subj., *cum* being preferred to *si* because of *quod fecimus*, the thing supposed having *actually occurred*: for *indic.* clause cp. *sicuti est* § 13. For the historical fact v. *Introductio* § 3.

oppugnare after Lambinus: extant Codd. read *id a te oppugnari*, involving a very harsh change of construction to *tollere*.

multorum perfugium misericordiae, gen. subj. and obj.; v.
n. on Marc. § 4, and § 12 *supra*.

per te, inquam, Marc. § 7 n. **per te** = *tua sponte*. § 15.
reperiantur, qui te crudelem esse velint.

honesto . . . mendacio, a morally permissible lie; cp. Plato's § 16.
γενναῖον ψεύδος (Rep. iii), and Horace's 'splendide mendax' of
Hypermnestra (C. iii. 11, 35). 'To tell a lie for charity, to save a
man's life, hath not only been done at all times, but commended by
great and good and wise men.' Jeremy Taylor.

saluti esse, R. ii (preface) p. xxv, K. 225, P.V. 141. 2.

hominis, a man in the full sense of the word.

tum, in the supposed case: **nunc**, recalling us from the supposed
and unreal to the actual, *νῦν δέ*, 'as it is.'

ad hominem, 'like a man'; cp. *ὡς πρὸς τοῦ ἀπαντος ἀνδρός* Hdt.
vii. 153.

aditus ad causam: et appending the explanation, **postulatio**, § 17.
which prop. = asking leave of the praetor to bring forward the
criminal charge.

de nullo alio homine dicere Tubero vellet: **quidnam novi**,
propter quod scelus appellaret.

scelus: cp. pro Marc. § 13.

fatalis quaedam calamitas . . . superata, 'it seems as if a
predetermined blow of fate had fallen, startling men in their short-
sightedness, and leaving us small cause to wonder that human policy
has been overruled by the inexorable will of heaven.'

miseros: the accus. predicate regularly thus used where the dat. § 18.
of the person (indir. obj. of the impersonal) is *not* expressed: thus—
prosit nostris in montibus ortas (Verg. A. ix. 92),

sc. *nobis* and *esse naves*. But in poetry a dat. is allowable. Where
the dat. of the person *is* expressed, the predicate may be either in the
dat. or the accus. case. V. R. ii pref. xxiii and 1357, P.V. 372.

fuerint, concessive subj. R. 1620, P.V. 382. 3, K. 357.

parrioidii, sc. patriae.

contumeliam: Cic. is quoting Caesar's own complaint; for the
words occur Bell. Civ. i. 9 *doluisse se, quod populi Romani benefi-
cium sibi per contumeliam ab inimicis extorqueretur*. The 'affront'
was put upon him by the proposal of the consul M. Marcellus (for
which v. Introd. to pro Marc. II, § 1 *note*) and the attempt to force
him (despite a resolution of the people passed in B. C. 52) to stand
in his absence for the consulship. (Vid. W. W. Fowler, Julius Caesar,
pp. 250-253.)

suum, the interests of the army and *imperator* being one.

cum . . . oupiebas, indic. because the clause merely gives the time of the action, not the circumstances or situation. So in Deiot. § 3 note: § 23, P.V. § 408 and note.

- § 19. cum . . . voluisses: cp. *n.* on § 14, a conditional subj.: the clause is equivalent to *si . . . voluisses ut hos voluisti*.

secessionem: cp. the historical 'secessions' of the plebs. The converse view (to this passage) is to be found in pro Marcell. § 30: there the orator is describing what the civil war was in fact, here what it was in intention.

illam, gender fixed by the predicate word.

dignitas denotes 'rank' reinforced by 'moral worth.' The use of the old English word 'worship' 'worshipful' (worth-ship) illustrates it. (There was a preponderance of rank, he means, on the Pompeian side.)

melior: Lucan i. 128 *victrix causa deis placuit, sed victa Catoni*.

- § 20. communem causam, the cause of the (Pompeian) party.

atque, 'and what is more.'

cum . . . erat, *n.* on § 18 *ad fin.*: so generally after *tum, eo tempore*.

- § 21. sors coniecta est: with reference to the process of *sortitio* by which provinces were assigned to magistrates after their year of office at Rome.

excusare, sc. *se*, 'to ask to be excused': unless = *excusare morbum* 'to plead illness in excuse for refusal'; v. *n.* on § 6. [Mr. A. C. Clark reads, after H, *excusari*: which Orelli had conjectured from Phil. v. § 14.]

omnes necessitudines, 'close ties of every kind': = *omnium generum*: as in Sest. § 39, ib. § 55 *omnium remediorum*.

contubernales, 'mess-mates' in the Social War B. c. 89. In Planc. § 100 this intimacy with L. Tubero is mentioned; v. Dr. Holden's note. *Contubernium* (*con-taberna*) denotes the relation ('tent-companionship') of a young Roman to the general officer in whose train he served his apprenticeship in arms.

quidam: some one living, doubtless: Orelli suggests M. Marcellus. Not Cato or Pompeius, who as dead might have been freely mentioned.

etiamsi sentiret. R. 1532, P.V. 243.

22. amplissimi viri, sc. Pompeii: *infra* § 25.

si crimen est voluisse, 'if the mere wish is a ground of accusation.'

nata = *natura aptam*: so, *natis in usum laetitiae scyphis* Hor. C. i. 27. 1.

quam (aliud) *aliquem se* (obtinere) *maluisse*: *se* being inserted with the inf. understood after *maluisse* for emphasis. [Mr. A. C. Clark would expunge the bracketed words.]

is . . . aliquis, 'that somebody.' Deiot. § 35.

quid, si (recepti) *essetis*, *facturi fuistis*? periphrastic apodosis § 23. for *fecissetis*. (The MSS., except the Harleian H and Ambrosian A, have *tradituri fuissetis*, which Lambinus corrected.) R. 1570, P.V. 417 c. This form is used (1) in *Oratio Obliqua* to represent the apodosis to an unfulfilled condition; v. *infra*, *traditurum fuisse* (cp. also *ne Tubero facturus fuisse videatur*, 'lest it should appear that T. would have ever done what it never entered his mind to do'); (2) to represent a hypothetical subj. in a dependent clause already requiring a subj., e. g. a dep. question *quid facturi fueritis* § 24: and § 34 *quin . . . fuerit futurus*.

grata, 'acceptable,' *probata*, 'approved,' from the moral standpoint.

non tam ne offendam: Mr. A. C. Clark (*Anecd. Oxon.* p. xxxvi) § 24. gives from codd. H and A the reading *non ultra offendam*, 'I will not vex you further than is necessary to save T. from the charge of intending to do what he never thought of.' (A has *non ultra*: hence you may trace the corruption.)

veniebatis, imperf. *conatus*: *igitur* resumptive.

huic victoriae = *huius* (Caesaris) *victoriae*. So Verg. A. iv. 237 *hic* (= *de hac re*) *nostri nuntius esto*: and the idiom *ex hoc numero* Marcell. § 21. (For another case of pronoun attraction v. *illam* § 19 *supra*.)

rex, Juba, who enabled the Pompeians to renew the struggle against Caesar culminating in the battle of Thapsus, B. C. 46. (Intro. § 3.)

conventus, a corporation of Roman citizens formed in a province for the purposes of business and mutual aid, with its headquarters at some leading town, e. g. Utica. (Not to be confused with *conventus iuridici*, the districts into which a province was divided for the administration of justice.)

quamquam, corrective, Marcell. § 27 *ad fin.*, *note*. *dubitem*, 'can I doubt?' v. § 31 n.

et prohibiti = *idque*, καὶ ταῦτα, or *et quidem*.

nempe introduces the answer as being a matter of course, after § 25. the rhetorical question: 'why of course.' So Juv. *sed qualis rediit?* *Nempe una nave*. Cp. also § 9 *supra*. *Nempe* = *nam* (orig. like *enim* = indeed) *pe* (pronominal, cp. *quippe*).

quodai . . . veniebatis . . . venissetis: in the protasis, the imperf. of an unsuccessful attempt: in the apodosis, plup. subj. of unfulfilled action: an intelligible combination.

venistis ad Pompeium: strong instance of asyndeton adversativum.

apud Caesarem, 'at the bar of Caesar.'

a quo queramini prohibitos esse vos=a quo, ut querimini, prohibiti *sitis*, virtual or. obliqua, hence subj. Cp. the subj. mood of the verbum dicendi in such a case as *quod diceret* (R. 1746).

gloriamini per me licet, lit. 'you are allowed to boast as far as I am concerned': 'you have my leave to': cp. use of *per* in Deiot. § 37.

§ 26. **constantiam**: the accuser declared, according to Quintilian, 'Ligarium perseverasse': but that he himself 'ut primum licuerit a partibus recessisse.'

quamvis . . . probarem, 'however much I approved': a conditional subj. here, hence the tense.

patientia is 'endurance of the inevitable' or in a bad sense 'of some discomfort as though it were inevitable': 'passive endurance,' whereas **constantia** is 'manly endurance.' Cp. Hor. C. i. 24. 19—

levius fit patientia

quidquid corrigere est nefas.

quotus . . . quisque lit.: 'each how many-eth': so 'how few.' Quintus quisque, optimus quisque, πολλοστὸν μέρος ('ever so small a fraction') are similarly to be explained.

ad eos ipsos, sc. 'men of the same party' as those in Africa. But Codd. H A have *ad eas ipsas partis* which may be the right reading: the repetition of the antecedent is Ciceronian (cp. my *n.* on Cluent. § 49), but might easily be unfamiliar to a copyist.

§ 27. **ut concessive**: with the sentence cp. § 26 *quamvis ipse probarem, ut probo.*

iusto, 'regular,' conferred with due formalities. A rhetorical exaggeration (as is *suam*): cp. §§ 20, 21 in contrast. Caesar himself (B. Civ. i. 6) notes the *irregularity* of the Senate's proceedings; provinces were conferred on private persons without the sanction of the Comitia, which alone could bestow the *imperium*.

aliquam, 'some country or other': cp. use in § 22: so Verg. A. ii. 48 aut aliquis latet error. In certain contexts thus it = *alius quis*.

causam, personal, as a *qua* shews: 'party.' So in Rosc. Am. § 142 qui et se et causam laedi putet, 'who conceives himself and the good cause affronted,' a very concrete use.

§ 28. **ista**, *n.* on § 10.

credo generally parenthetical and ironical in Cic. 'I presume your zeal in the cause cooled somewhat.'

in praesidiis as in § 30, 'on active service': this phrase chosen because it implies acting on the defensive 'in the trenches,' as it

were. The lacuna after *civilibus bellis* was first noted by Madvig. The sense of the lost words is *nulla pacis cogitatio*.

pacis . . . *fui*, cp. Marcell. § 14.

erat . . . *amentis*: Indic. regularly used for subj. in such impersonal phrases: *nonne fuit satius?* Verg. E. ii. 14. P.V. 417 b., R. 1535. For indefinite 2nd pers. v. Deiot. § 4 n.

nunc, *n.* on § 16 *ad fin.* A good ex. of the *dilemma* follows. § 29.

Tubero . . . *vos*, 'you and your father': cp. *vestras*, Eure, domos, 'yours and your brethren's,' Verg. A. i. 140.

videte, *ne erretis*, 'I am afraid you will find yourselves mistaken.' Lit. 'take care lest.' So Philipp. ii. 35 *vide ne haereas*.

ad unam summam, etc. 'I have not uttered a word that does not refer to a single end which I have in view, to touch your humanity or your leniency or your pity, as the case may be': *humanitatis* etc., genitives of definition: R. 1302, P.V. 143. 3, K. 248. *Summa*, 'main point': cp. *summam* 'taking a thing point by point,' *summa belli* 'command of the war.'

equidem tecum, 'on the same side with you': *equidem* forms § 30.

an antithesis with *certe nunquam hoc modo*: being in reality only a strengthened form of *quidem*, though by Cicero's time (with possibly three exceptions) only used with first person and = 'I for my part.' Cp. antithetic use of *illae quidem* in Marcell. § 9. There is a pleonasm in the use of the pronominal word in either case. For Caesar as an advocate cp. Deiot. § 7.

ratio honorum tuorum, 'the requirements of your successive public positions.' Cp. *temporis ratio*, 'exigencies of the situation.' *Ratio* (prop. 'reckoning,' and in plur. 'accounts') is used to denote the relations, bearings, tendency of things: the system, method, interests, of the agent: the motive of his act.

non putavit se peccare; si umquam posthac peccabit, nihil poenae deprecabimur.

dic . . . *taceo*: co-ordination for subordination: '*si dixeris, tacebo*.' (We insert 'and.') So Juv. i. 155—

pone Tigellinum: taeda lucebis in illa

'lampoon T., and you will be burnt alive.'

praesidiis, *n.* on § 28.

ne haec quidem colligo, 'I do not even enumerate those points.' By the figure of *praeteritio*, affecting to pass over what in reality he specifies, Cicero gives a rapid survey of his line of defence.

bello oppressus, 'overtaken by,' 'surprised by the outbreak of the war.'

arroganter, sc. *oro*.

- § 31. *sit*, dubitative (deliberative) subj., R. 1610, P.V. 384. 2. So § 24 *dubitem*? v. *ibidem*, *n.* on *quamquam*.

vidi et cognovi, 'I know by my own observation.' Cic. often expresses one verbal notion by a couple of verbs (hendiadys): so § 16 *refellere et redarguere*, 'completely refute.'

causas, 'claims': viz. the merits of the case which they bring before C.'s notice. Explained by the last line of this section.

vultus, 'familiar features.'

itaque . . . video tamen: another instance of co-ordination (in Greek we should have μέν and δέ) for subordination: 'and so although you bestow so many favours on your own friends, I see nevertheless.' For *tu quidem* cp. *n.* on § 30 *ad init.*

- § 32. *quod soles*, 'as is your wont,' sc. *considerare*.

nosti optimos homines: in B.C. 82 Caesar, being mistrusted by Sulla owing to his marriage with Cornelia, daughter of Cinna, retired for safety to the country of the Sabines. [Codd. A H have *optime*, with which cp. *Dèiot.* § 23.]

- § 33. *capite*, 'civil existence': the whole complex of rights which make up a man's personality in the eye of the law. Cp. *capitis deminutio*, *capitis minor*, of disfranchisement.

exterminandi: ἐξοπίζειν (Plato).

germanitas, 'nearness in blood,' answers (by a 'chiasmus') to *fraterne*, as *lacrimae* to *cum dolore*.

quae vicit, 'which won you the victory'; cp. Marcell. § 18.

nos omnes . . . essent: this was Pompeius' declaration in the Senate when he left Rome at the outbreak of the war.

hunc splendorem omnium = *hos omnes viros splendidos*: *n.* on Marcell. § 10. The epithet thus put arrests the attention: which is the real explanation of 'transferred epithet,' as in 'haec vestis *priscis* hominum variata figuris' for *priscorum* (Catull. 64, 50). *splendidus*, stock epithet of equites, as *amplus* of senators, and *honestus* of common citizens.

L. Corfidium: he was already dead. This was pointed out to Cic. by Brutus on behalf of T. Ligarius as a 'slip of the memory' made in writing down the speech for publication; and Cicero asked Atticus to have it corrected in all the copies (ad Att. xiii. 44. 3).

qui adsunt, as *advocati* or witnesses to the character of the accused.

qui tecum fuerunt, only (of course) in the sense of 'qui contra te non essent, tuos' six lines above.

minabamur (best MSS.) is right, though Halm (with some authority) reads *minabantur*. But the 1st person plural defined by

nonnulli or *plerique* does not necessarily (as it logically should) include the speaker: nor the 2nd pers. plur. all those included in 'you.' Strenge compares Liv. xxiii. 13, 3 *quam varia victoria priore Punico bello fuerit, plerique, qui meminimus, supersumus* (not *supersunt*), though English idiom would use 3rd pers.

suos, 'a brother': plur. of generic expression. For the reflexive pron. referring to the word with which it is immediately connected, v. R. 2265, P. V. 338 b, quoting as ex. *suum cuique reddamus*.

quin . . . fuerit futurus, v. note on § 23: so also for *futurum* § 34. *fuisse infra*.

quis est . . . non sentiat, 'Every one who knows the perfect and almost indissoluble harmony that exists between these brothers so nearly matched in age must feel.' *conflatum*, prop. fused into a mass. *aequalitas*, from *aequalis* 'of the same age.'

ut . . . sequerentur after *prius* (= *potius*) *futurum fuisse*: R. 1678, P. V. 454. 2.

tempestate abreptus, 'carried away by the force of the hurricane,' metaphorical of course. For the use of *abreptus* cp. Verg. A. i. 108

Tres Notus abreptas in saxa latentia torquet.

consilio, adverbial abl., 'deliberately.' R. 1236, 1239: K. 236 n.: P. V. 322. *tamen* implies 'quamquam id consilio fecerunt.' Cp. Verg. A. iv. 39 *qui te tamen ore referret*, 'a child to recall your face to me, though you were gone.'

ierit, concessive subj., cp. *fuerint* § 18.

§ 35.

qualis . . . quaestor urbanus fuerit. In B. C. 56, on Cicero's proposal (*cum tuis o. n. interesset*), the Senate granted Caesar pay for his legions in Gaul, though the public funds were low. Probably T. Ligarius rendered him service by speedy disbursement of this grant of money.

parum est me hoc meminisse, 'it is a small matter that I remember this.' Cp. Marcell. § 26 for *parum*.

spero . . . te . . . recordari: the idea of pro certo habere preponderates in *spero* here, v. Marc. § 21 n. The subject of the infin., *te*, is here repeated owing to the parenthetic clauses *qui . . . ingenti tui*.

meminisse, 'to have in the memory' (= *memoria tenere*): *reminisci*, 'to recall to memory,' e.g. *dulces moriens reminiscitur Argos*, Verg.; *recordari*, 'to call to mind (*cor*),' as an intellectual and moral act: *cum animis vestris recordari* Cluent. § 70.

animi, 'heart,' here 'goodness of heart': *ingenii*, 'power of mind'; as to Caesar's memory v. Deiot. § 42.

§ 36. qui tum nihil egit aliud . . . nisi ut, 'whose only object was that . . .' Cp. § 18 idne agebas ut . . . conveniret?

haec, 'the present situation'; viz. his being a suppliant to the dictator Caesar.

utrisque his: regular usage would require horum uterque: by a sort of attraction the plur. of *uterque* is sometimes used where *ambo* might stand: so *utraque cornua* (Liv. xxx. 8, 7): more especially with a pronoun, as here and Sall. Catil. xxx. 4, Caes. B. G. ii. 16, 2, &c. Contrast *utrisque* in § 19, 'either party.'

sibi ipsos (not ipsis) as in Marcell. § 13: according to the common tendency in Latin and Greek to double the reflexive, giving the reflexive action at both ends (as it were). So in Greek: *αὐτὸς πρὸς αὐτοῦ* (ἐλάλει) Soph. Ant. 1177.

condonare alicuem alicui = 'to bestow (the safety of) some one in deference to (the prayers of) some one else.' Cp. Caes. B. G. i. 20 praeterita se Divitiaco fratri condonare dicit, 'pardons the past (of Dumnorix) in deference to his brother.'

The use of two fut. perfects, in protasis and apodosis, denotes an exact coincidence in the two actions: 'you will thereby bestow.'

§ 37. homine nobilissimo, M. Marcellus.

bonitas, 'goodness of heart'; cp. Marcell. § 31.

§ 38. With the opening words cp. the lines on Mercy:—

It is an attribute to God Himself,

And earthly power doth then show likest God's

When mercy seasons justice.

Shakespeare, *Merchant of Venice*.

Peroration, recalling by its terse vigour the best specimens of the 'Attic style' of oratory.

postulet: Halm reads *postularit* for *postulat* of the MSS., which (besides the crudity of the indic.) is un-Ciceronian: *forsitan* (fors sit an) taking a dependent (interrogative) subj. H. has *postulet* which Kayser conj.

PRO REGE DEIOTARO.

INTRODUCTION.

‘Oratiunculam pro Deiotaro, quam requirebas, habebam mecum, quod non putaram: itaque eam tibi misi: quam velim sic legas, ut causam tenuem et inopem nec scriptione magno opere dignam. Sed ego hospitii veteri et amico munusculum mittere volui levidense crasso filo, cuiusmodi ipsius solent esse munera’ (ad Fam. ix. 12).

§ 1. The district of Galatia was peopled and named, in the third century before the Christian era, by a horde of Celtic invaders who swept across Europe in one of those waves of invasion which left their mark on Roman history. Little need now be said about their national character. Retaining the race-characteristics of impulsive valour and instability, they acquired, under Hellenic and afterwards Roman influences, a degree of organisation, political and military, which in spite of the attendant vices of a borrowed civilisation made them a considerable power in Asia Minor.

§ 2. The pro Rege Deiotáro illustrates, if it does not enlarge, our knowledge of the Galatian character. The country had originally been governed by numerous tetrarchs (as in Macedonian fashion its princes were styled), four to each of the three tribes of the original stock¹. But in one tribe at least these divided powers were by degrees gathered up into a single rule: the one ruler retaining the old title. Deiotarus was at first tetrarch of the Tolistoboi in West Galatia, the district in which lay Blucium, afterwards (p. Deiot. § 21) his royal residence and Peium his treasury (ib. § 17). He succeeded to power at a time when the aggression of Mithradates VI of Pontus threatened the independence of all the smaller kingdoms of Asia,

¹ Momms. IV. i. 143.

and the power of Rome herself in that quarter. He had the discernment to see that his safety lay in unswerving loyalty to the cause of Rome in her contest with Mithradates; and his services rendered between the years B. C. 88 and 63 were publicly acknowledged by successive generals, Sulla, Murena, Lucullus, Pompeius¹. The last named, in his settlement of Asiatic affairs, rewarded him with a substantial slice of territory, the part of Pontus east of the Halys and including the maritime towns of Pharnaceia and Trapezus. The settlement of Pompeius was confirmed on Caesar's proposal in his consulship, B. C. 59, the Senate further bestowing upon Deiotarus the kingly title and the district of Lesser Armenia.

§ 3. After the ill-starred expedition of Crassus (B. C. 54, 53), when the Parthians crossed the Roman frontier, the king placed his forces² at the disposal of the Roman governors in that region, viz. Cicero himself when pro-consul of Cilicia (B. C. 51), and M. Bibulus when pro-consul of Syria. The civil war broke out in B. C. 49; and Deiot. decided for Pompeius, partly on the ground of greater personal obligations, partly no doubt because in Asia his name stood far higher than that of Caesar. In spite of his advanced age he took the field in person at the head of 600 horsemen, attended Pompeius in his flight after the battle of Pharsalus, but parted from him in Lesbos, under promise to raise the peoples of the East in his cause: a promise which he was never called upon to redeem. It was not long after Pompeius' death that Pharnāces, son of Mithradates, and king of the district of the Cimmerian Bosphorus, in the hope of regaining his father's dominions invaded Lesser Armenia and Cappadocia. Deiot. in alarm united his forces with those of Cn. Domitius Calvinus, Caesar's lieutenant in Asia, with the result that they both were defeated at Nicopolis in Lesser Armenia, and Pharnaces was master of Pontus. Caesar himself, victorious in Egypt, hastened through Syria and Cappadocia to the borders of Pontus and Galatia: where he was met by Deiot., who had put off his regal attire and was clad in the garb of a suppliant criminal. He granted him the pardon he asked, but did not accept his excuse that 'it had

¹ Cp. Deiot. § 37 with note.

² Cic. tells us of 30 cohorts of 400 men each, armed in the Roman manner and 2000 cavalry. (ad Att. vi. 1. 14.) Cp. § 28, of young Castor serving thus.

INTRODUCTION.

not been for him to sit in judgment on the controversies of the Roman people, but to obey the powers that were nearest ¹.

§ 4. Caesar thus reinstated Deiot. on his throne, but with the reservation, that his right to certain possessions in Galatia which were claimed by other tetrarchs should be investigated in due time. After the rapid march against Pharnaces ending in the victory of Zela (August 2, 47), Caesar returned through Galatia, where he was entertained by Deiot., and Bithynia, to the Province of Asia. He proceeded to redistribute the Asiatic kingdoms: Deiot. lost the tetrarchy of the Trocmi and the rule of Lesser Armenia in favour of Mithradates of Pergamum and Ariobarzānes of Cappadocia respectively ².

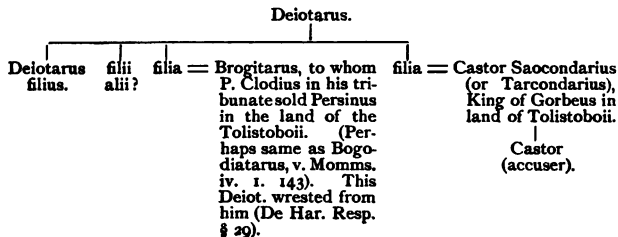
It was in B. C. 45, two years after the visit of Caesar, that Deiot. was accused by his own grandson Castor of having plotted the murder of his illustrious guest on that occasion. We have alluded to the fact that Deiot.'s reign over almost the whole of Galatia was not undisputed. Moreover we have reason to believe that in his domestic relations the king was cruel and suspicious. He had one favourite son, his namesake and the heir-apparent: and, if we are to believe Plutarch, had put his other sons to death ³. And subsequently, in revenge for this accusation, he is said to have put to death his own daughter and her husband, Castor the elder, in their city Gorbeus.

§ 5. The circumstances then are fairly intelligible. Deiotarus had sent two embassies to Caesar, the first to Tarraco in Spain (§ 38, also § 41: Hieras, Blesamius, and Antigonus were sent), the second to

¹ Auct. b. Alex. 67.

² Cic. de divin. ii. § 79.

³ The family of Deiot. was as follows:—



Rome (§ 41, the same three envoys, with Dorylaus): hoping to recover from him his forfeited provinces. When young Castor conceived the idea of tampering with the loyalty of the physician Phidippus who was attached to the second embassy, and ruining his grandfather by an accusation, he doubtless held a brief for the aggrieved family of the Galatian tyrant. The Dictator sat in his own house to try the case in virtue of the revived regal prerogative. Cicero undertook the defence of his old friend and ally.

§ 6. He addresses himself in his defence to two main contentions: first, that the charge of attempted poisoning is a clumsy slander based on the evidence of a worthless slave: second, that the king had not harboured sullen and vindictive feelings against Caesar. It is in the latter, the more delicate part of his task, that the orator's tact appears to fullest advantage.

Nothing certain is known about Caesar's verdict: but it seems at least highly probable that he deferred his decision until his proposed expedition against Parthia in the year following. The dagger of Brutus proved more effective than the eloquence of Cicero. On the news of Caesar's assassination, Deiot. immediately recovered Lesser Armenia by force of arms: his envoys at Rome meanwhile, by a bribe of 10 millions of sesterces to Fulvia, procured from Antonius a forged order in Caesar's name, that the king was to be reinstated in his lost possessions¹.

¹ Phil. ii. §§ 94, 95.

NOTES.

- § 1. *cum in omnibus causis . . . tum in hac*, etc., 'in all important cases . . . but in this case especially': the individual thing is picked out for contrast with the other members of its class. Sometimes (as here) the *cum* takes subj. owing to a slightly concessive force, 'whereas,' 'although.' But Mur. § 56 has *quae cum sunt* gravia, *tum illud acerbissimum est*. Cp. § 12 *infra*.

Cicero's nervousness was not assumed for effect. He refers to it in Cluent. § 51 *semper equidem magno cum metu incipio dicere*; and notes it as a mark of the best orator, *de Or. i. § 120 ut quisque optime dicit ita maxime dicendi difficultatem variosque eventus*

orationis expectationemque hominum pertimescit: 'the better a man speaks, the more he dreads the difficulties of speaking, the vicissitudes to which a speech is liable and the expectations which people have formed about him.'

aetas mea, sixty-two.

postulare, 'to require,' i. e. 'render necessary.' Cp. Planc. § 52 *apertius quam . . . aetatis tuae ratio postulabat*, '(you expressed yourself) with less reticence than might have been expected from one of your years.'

fides, esp. used of an advocate's sense of honour towards his client, Cluent. § 10 *fide atque officio defensionis*: and Lig. § 6. 'That what I gain in ardour for the defence of king Deiotarus by my sense of duty I lose in capacity for the task by my fears.'

capite fortunisque, a phrase which includes the whole of the social and political rights of a Roman citizen: *n.* on Lig. § 33.

quod ipsum, etc., 'though this in itself is no grievance, at least considering that it is your safety that is involved.'

iniquum, in its proper sense implying 'disparity.' If the defendant was a king, the charge is made on behalf of *Caesar*; a delicate piece of flattery to the uncrowned king of Rome, whom Cicero in a confidential letter of the time calls *rex* (ad Att. xiii. 27, 2), and after his death *tyrannus*.

dumtaxat (*dum, taxat*, 'as far as one reckons it') has two main uses: (a) 'as far as that goes,' as in Mil. § 5; so, 'simply' ('only this, irrespective of other things,' *tantummodo*), Marc. § 22; (b) 'at least,' as here. It qualifies words or phrases, not sentences.

ornare solebam: an example is *de harusp. resp.* § 29 *alter (Deio- § 2. tarus) est rex iudicio senatus per nos . . . appellatus* (Introd. § 2).

perpetuis . . . meritis, 'unbroken succession of services.'

accedit, ut = *praeterea fit ut*, 'next comes the fact that.'

indignitate, 'mean condition.'

crudelem Castorem and (in direct agreement) *sceleratum et impium*, an accusative of exclamation. *ne dicam* is a formula of correctio, a figure of speech by which the speaker denies himself the use of a more forcible expression in order not to exaggerate: and it does not affect the case of the word or words which follow it.

adulescentiae . . . terrorem, a sort of subjective gen. or gen. of author, answering in form only to *ineuntis aetatis*. P.V. § 145, K. § 250, R. 1278.

commendationem . . . duxerit: 'has inaugurated his entrance into public life by unnatural and wicked conduct.'

a legatorum pedibus abduxerit: 'tempted him away from the

service of the ambassadors' sent by Deiot. to Rome. Cp. *pedisequus*, a lackey.

- § 3. *os*, 'effrontery': quo ore mentionem corrupti iudicii facitis? Cluent. § 65.

cum videbam . . . dolebam: indic. in the *dependent* clause as well as the principal, the acts being identified by the identification of the times¹. So Verr. ii. 5, § 121 *errabas cum arbitrabare*. Lig. § 18, Deiot. § 23, P. V. § 408, R. 1721.

condicionem: v. n. on Marc. § 8.

more maiorum . . . liceat: the same principle is more fully stated in Mil. § 59; to examine a man's own slaves against himself was thought '*indignum et domini morte ipsa tristius*': although in such an examination (according to a strange illusion of the ancient lawyers) 'the torture might elicit the truth even in the witness' own despite.' At Athens it was a common thing to challenge an adversary to give up his slaves to the torture, or to tender one's own slaves: cp. the story of the mutilation of the *Hermæ*, and the revelations of *Andocides*, Grote's *Greece*, ch. lviii (and note on torture). (V. also Poynton, pro Mil: Appendix i.)

in eculeo = *si in eculeum impositus esset*. 'The criminal was made to sit bare on a sharp point, with heavy weights attached to his arms and legs' (Rich, *Antiquities*).

- § 4. *cum . . . recognovi*, 'whenever': P. V. § 408 (c), K. 436, R. 1717. *sapientia*, n. on Marc. § 1.

consideres, indefinite and person subj. (in a dependent clause); P. V. §§ 355, 383, R. 1546.

nemo fere: so *semper fere*, *omnes fere*, *nihil fere*.

aequiore: *justice* as viewed by one of two contending parties is generally *partiality*.

de rege Deiotaro, sc. *iudicaturus sis*.

- § 5. *loci insolentia*, 'by finding myself in unfamiliar surroundings.' *tantam causam, quanta nulla umquam . . .*, 'greater than any that ever . . .'; 'the greatest that ever . . .' It is instructive to contrast Latin and English idioms as to the use of comparative and superlative; cp. Marc. § 6, *note*. (*Quo nihil iniquius* = 'a most unfair course'.)

intra domesticos parietes, 'within the four walls of a house.'

extra conventum, 'at a private audience': contrast Sest. § 119 *ille conventus*, 'the public present here in court,' and the phrase *in conventu*, common in the Verrine speeches.

¹ Prof. Hale, *Cum*-constructions, II. p. 223.

quae . . . leviora, 'considerations which give me the strongest grounds for hoping to make the truth victorious, but are weak incentives to energetic and ardent oratory.'

eodem, 'in the same way': Cicero is anxious not to be thought § 6. to quarrel with Caesar's sole judicature in the case.

meminisset, subj. by assimilation, K. § 468, R. 1778, K. 468.

curiam: Hostilium, at the N.E. corner of the forum, to the left of the orator as he would speak there.

pro multis saepe dixisti: Caesar was a pupil of the Rhodian § 7. rhetorician Molo, and became one of the greatest orators of the day, second only (some say) to Cicero. His speeches were never collected for publication.

quid mihi . . . referre, 'to estimate by the standard of your own experience my present feelings': in fact, 'to put yourself in my place.'

antequam . . . dico, pres. for fut. (as in Mil. § 7 *antequam ad eam orationem venio*, videntur ea esse refutanda, etc.), R. 1462, P. V. 410 n., K. 431.

rerum, Marc. § 22 n.

adfectum: there is good MS. authority for *adflictum*, 'humbled,' § 8. which can describe the temper of one who is plotting revenge: v. Verg. A. ii. 92, 96 of Sinon.

detrimentis: the limits of his kingdom were curtailed: v. Introd. § 4.

teque cum . . . cognoverant, bracketed by Madvig not without reason; they are inconsistent in tense with *iratum fuisse* above; nor is Cicero likely to have called Caesar the friend of such men as Castor and Phidippus. But, as in § 29, he may refer to Castor and his father.

ut in . . . insideret, 'that in a mind rankling with resentment a false charge would easily take root.'

inquam, Marc. § 7 n.

non tam . . . firmiorem, a natural confusion, between 'not so steady in war as it is in promises,' and 'steadier in promises.' 'Not as steady in war . . . as it is doubly steady in the performance of a promise.' Still the finish of Cicero's style perhaps excludes such an anomaly; and *tam* is bracketed accordingly. (Priscian had it in his text.)

semel, 'once for all': so § 39 *semel ignotum*.

senserit = 'knew to his cost,' as often in Hor.: C. ii. 7, 10 *tecum Philippos sensi* (v. Page).

quamquam: Marc. § 27 *ad fin.*, note.

cum Delotaro querellae: so *tecum queri*, *tecum expostulare*.

§ 9.

This construction is here preferred to that of *in* or *contra*, because the phrase thus answers to the stronger inimicitiae cum aliquo. *daturum fuisse*, P. V. § 428, R. 1784: *n.* on Lig. § 23.

aetatis, 'advanced age': a neutral word defined by its context; cp. *valetudo*, 'ill-health'; *fortuna*, 'good fortune.'

- § 10. *amicitiae culpam*, 'a slight imputation of disloyal friendship.' A gen. of apposition or definition (P. V. § 143, K. § 248, R. 1302); but the terseness of the expression cannot be reproduced; it is equivalent to *amicitiae neglectae culpam*; cp. Hom. II. i. 93 *οὐρ' ἄρ' ὁ γ' εὐχολῆς ἐπιμέμεται οὐθ' ἑκατόμβης*, 'for the want of a vow.' [H and Lambinus read *in amicitia*, others *inimicitiae* a corruption, of which *amicitiae* may be simply a correction.]

communi, 'in which all shared'; cp. Marc. § 33 *non de unius solum sed de communi salute*.

- § 11. *nobis imperatoribus*, v. Ligar. § 7 as to Cicero's retention of *imperium*. As to this *senatus auctoritas* (used technically of a *s. consultum* which a tribune had vetoed, though in this case the veto was vain), v. Momms. abr. p. 447, Momms. iv. II. p. 359. It was the 'ultimum decretum' of which the history of Catilina furnishes an example (Sall. Catil. xxix): *videant coss., ne quid res publica detrimenti capiat*: and which gave to the consuls or whole body of magistrates dictatorial powers.

esse effusam, 'had turned out in flight.'

condicionibus, *n.* on Marc. § 8, and cp. Ligar. § 18 for the fact.

certorum hominum, Marc. § 16 *note*: he refers to the cons. for B. C. 49, viz. C. Claudius Marcellus and L. Cornelius Lentulus, M. Cato, L. Domitius Ahenobarbus, and others.

- § 12. *ornamenta*, 'distinctions'; cp. Marc. § 24 *n.*

cum . . . tum . . ., *n.* on § 1.

tum tu ipse plurima: the fact is illustrated by the history of the years B. C. 67, 66, 59.

obscuritatem adtulerunt, 'have eclipsed;' for *laudibus* v. Marc. § 12 *n.*

in omni genere bellorum: cp. de imperio Cn. Pomp. (pro leg. Manil.) § 28 'what form of war can there be, in which the fortunes of the state have not proved his powers? the civil war, African, Transalpine, Spanish, Servile wars, wars at sea, wars and foes of every variety.'

populi Romani: for the gen. cp. *adulescentiae* § 2.

omnibus, abl., as *gloria*.

- § 13. *igitur*, *δ' οὖν*, resumptive.

fatali, explained by Marc. § 13 *init.*; cp. Ligar. § 17: Cicero's

invariable excuse for political short-sightedness. So the rule of Caesar was 'aliquis fatalis casus'; Phil. vi. 19 et alibi.

iustis hostilibusque, the second word explains the first: 'a war properly so called, waged against a *foreign foe*,' *hostis*: in this case against Mithradates. Cp. *iusta victoria*, *iustus exercitus*, *iustum imperium* (Lig. § 27), 'regular.'

evocatus: chosen with some allusion to the technical sense, a veteran who has served his time but is called out again on special terms by the State: cp. the German 'Landwehr.'

infinitam, 'vague,' 'indefinite.'

vel officio . . . duxit, 'whether it had been a sense of duty, or an error of judgment that had actuated him, in either case he felt that he had gone far enough.'

Alexandrinum bellum, *n.* on § 24 *infra*.

suis . . . sustentavit, 'lodged and maintained': for *coptis* v. § 14. Marc. § 8.

On Cn. Domitius Calvinus and Pharnaces, v. Introd. § 3: *eum, quem tu . . . delegisti*, an allusion which cannot be explained with certainty: some refer it to Sextus Caesar, then in command of Syria.

in eam partem accepta, 'so well received': cp. phrases—in *piorem partem vertere*, in *bonam partem accipere*.

furiosissimum, 'a dangerous madman': *susplicari profecto non § 15. potes*, 'cannot seriously imagine.'

cuius tanti sceleris, lit. 'of what so great wickedness it was': tr. 'what shocking depravity it would have argued.' When a pronoun in combination with an adjective qualifies a subst., the adj. must be sharpened by *tam* (as below *tam inhumani*), raised to the superl., or (if *multi*, *-ae*, *-a*, *magnus*) changed to *tot*, *tantus*. Cp. § 37 *quae tanta iniuria?*

importunitatis, 'barbarity.' *Importunus*, the opposite of *opportunus* (Marc. § 6), means 'inconvenient,' 'ill-omened,' so, 'unnatural,' 'monstrous.' *Portunus* was the god who gave safe passage (cp. *porta*, *πόρος*) into harbour (*portus*).

omnis memoriae, 'of all ages.'

tantae ferocitatis, 'amazing arrogance': cp. Marcell. § 16, showing it to be natural in the victor and not the vanquished.

in eo tyrannum inveniri, 'to prove himself a tyrant upon the life of the man by whom . . .'

cum regno . . . distractus esset, 'would have fallen out with his subjects.' Cp. *dissentire cum*, and § 9 *supra* *cum* Deiotaro *querellae*.

- § 16. *tectior*, 'more guarded.' The best MSS. except A H have *rectior*. *qui modo . . . audivit*: after *qui quidem*, *qui modo*, restricting the principal sentence, the subj. is common; but the indic. may be used when 'the limitation is not explicitly expressed but appears from the exhibition of the clauses side by side.' P.V. § 400 (d): R. 1693: P.G. § 505. (Cp. *n.* on Marcell. § 18.)

nec in hominem imprudentem caderet = *conveniret*: tr. 'of which even an inconsiderate man would be incapable.'

vir of public, *homo* of private character: Cluent. § 77 v. *optimum et h. pudentissimum*.

minime stulto, so Phil. ii. 113 *coniunx minime avara*: a litotes.

- § 17. *non credibiliter, sed ne suspiciosa quidem*, 'I do not say inconclusively, but not even plausibly.'

inquit, sc. *medicus Phidippus*.

castellum Peium and *infra* § 21 *castellum Blucium*: MSS. in both cases have *Luceium*. Emended from Strabo, xii. 5. 2, who says that the first was a treasury, the second a palace of Deiotarus. (Introd. § 2.)

e balneo: the Romans commonly took a bath between 2 and 3 p.m., immediately before the *cena*. So Martial (xi. 52. 3) in an invitation to dinner—

octavam poteris servare: lavabimur una.

priusquam accumberes, 'before you could sit down to dinner.'

The subj. follows temporal particles when there is a connection of purpose or anticipation, as well as of time, between the two actions. So Cluent. § 27 *ante quam luceret combustus est*, 'the next day was not allowed to dawn before his body was placed on the pyre.'

ita explained by infin. clause following.

ab isto adulescente, Castor: v. § 2 *ad fin.*

- § 18. *primum*, 'in the first place,' answers to *deinde*.
in cibo bracketed by Ernesti and Kayser (and Mr. A. C. Clark): but cp. Cluent. § 173.

ille quidem, a strengthened *quidem*: cp. Marc. § 9 *note*. Note the 'adversative asyndeton' in this sentence: P.V. § 348: cp. Lig. § 25.

de insidiis celare te, 'to keep you in the dark about': cp. Cluent. § 189 *non est de illo veneno celata mater*, the corresponding *passive* construction.

- § 19. *dimisit exercitum*, 'disbanded his forces': a comic grandiloquence borrowed from Terence, Eun. 814, where the parasite uses it in dismissing a gang of slaves.

magnam fuit, 'was too much to expect!': for the ironical use

cp. Phil. ii. § 103 ipsum enim exspectare magnum fuit, 'you sent to Caesar at Alexandria: for you could not be expected to wait until you could see him in person.'

cum in convivio comiter et iucunde fuisses, 'had made yourself most affable and pleasant at dinner.' So Cic. writes of Caesar's behaviour as his own guest, O hospitem mihi tam gravem ἀμεταμέλητον! fuit enim periucunde, 'my formidable guest left me no regrets behind him; he was most agreeable' (ad Att. xiii. 52). Cp. libenter esse, 'to enjoy oneself,' impune esse, 'to go unpunished.'

Attalus: a historical error: according to Livy (epit. 57) it was Antiochus Sidetes of Syria. Such gifts to generals had usually been kept a secret.

ad Numantiam: for the exact sense v. R. 1111. 2: P.V. 330. 3: for the 'longa ferae bella Numantiae,' v. the history of the years B. C. 134, 133.

For the opening words cp. Phil. ii. § 115; pone . . . ante oculos, § 20. sc. tibi.

non video . . . acta res criminose est, 'I cannot see his (Deio- § 21. tarus') motive in changing the place for the attempt: however the proceedings of that time were, I admit, open to attack.'

vomere post cenam, cp. Cic. ad Att. l.c. accubuit, ἐμετικῇν agebat: itaque et edit et bibit δδῶς et iucunde, 'he sat down to dinner; and as he intended to take an emetic, he ate and drank to his heart's content, regardless of consequences.' Yet we know from Suetonius that, for a Roman, Caesar was no glutton: he merely adopted a recipe which all the doctors of the day recommended. But the luxury of the later Romans constantly ran to grossness: as Goethe says, they shewed the taste of parvenus in their prosperity. Cp. M. Arnold's splendid lines in 'Obermann once more,' beginning 'On that hard Pagan world.'

perduint, like duint (Catil. i. § 22) an optative form surviving in a religious phrase: cp. δοῖεν. Edim, velim, nolim, malim, sim (old *siem*) are similar forms.

habes crimina insidiarum, 'there you have the charges respecting a plot.' So Flacc. § 49 habetis et honestatem hominis . . et causam omnem simultatis.

dimitteret, mitteret, deliberative: R. 1610, K. 358, P.V. 384. sciret, fecisset, subj. of virtual or. obliqua: the physician being the authority for the statement in each case. R. 1740, K. 469, P.V. 399. Contrast habebat above.

in speculis, lit. 'on the watch tower': best illustrated by Verr. § 22. I. § 46 nunc autem homines in speculis sunt, observant. Here, the

brunt of the charge is in the *motive* alleged: Cic. adroitly takes the question of overt action (*exercitum comparasse*) first, as the easier to settle.

inferre bellum populo Romano: war with Caesar meant this.

imperatoribus nostris, e.g. to Cicero himself when the Parthians threatened his province of Cilicia B.C. 51 (*ad Fam. xv. 4, § 5*).

antea, sc. before Caesar had curtailed his dominions by handing over Lesser Armenia to Ariobarzanes of Cappadocia, B.C. 47.

- § 23. *Q. Caecilius Bassus*, an eque and Pompeian, who induced the legions in Syria to mutiny against their commander Sex. Caesar; and maintained himself there until after Caesar's death, his troops then going over to Cassius. *nescio quem*, contemptuous: whereas in *Phil. xi* Cic. chooses to call him '*fortem et praeclarum virum*.'

sed tamen, 'but however that may be,' *δ' οὖν*: cp. its use § 21 *ad init.*

cum . . . mittebat: cp. § 3 *n.*

causam illam, Pompeianam.

quem . . . contemneret, 'who was just the man whom he, knowing the men of Rome as well as he does, was sure to despise because he did not know him, or (shall I say) if he knew him.'

- § 24. *nihil ad tuum equitatum*, 'they were nothing, compared with your cavalry': cp. *Liv. xxii. 22. 15 homini non ad cetera Punica ingenia callido*.

ex eo numero, *n.* on *Marc. § 21*.

servum iudicatum: as such, incapable (by old Roman law) of military service. But exceptions were by no means unknown; 8000 slaves were enlisted after the battle of Cannae: both Marius and Pompeius in times of civil war adopted the same expedient.

Alexandriae: in the autumn of B.C. 48 the citizens and renegade Romans rose against Caesar and besieged him in the royal palace for six months. He was in great peril, until relieved by Mithradates of Pergamus. (*Momms. abr. 468-471*; *Momms. iv. II. 426-431*.)

regionum, 'its situation': *fluminis*, a canal from the western bank of the Nile.

- § 25. *bellum Africanum*, Dec. B.C. 47 to April B.C. 46: v. *Introd.* to *pro Lig. § 3*.

Nicaea, in Bithynia, famous afterwards for the first general Council of the Church, A.D. 325.

versum Graecum, *ἑρπείτω φίλος σὺν ἐχθρῷ* occurs in Plutarch's *Moralia*—Domitius, whom Caesar had left behind in Asia after defeating Pharnaces at Zela, seems to have sailed with some troops

to reinforce Caesar in Africa, who was at that time practically blockaded at Ruspina a fort on the coast.

si, with **tamen** in the apodosis, is = *etiamsi*: especially if the apodosis is also negative. So de leg. § 7 quem si adsequi posset, aliquantum ab optimo tamen abesset: 'even if he could equal him, he would still fall considerably short of the highest merit.' And pro Mil. § 72.

inmanis, *n.* on Marc. § 8.

qui (the first), an adverb.

furoifer: applied to Phidippus as a slave: for the *furca*, Lewis § 26. and Short II. B, and Rich, Dict. Ant. no. 5, sub voc.

in convivio nudum saltavisse: both Greeks and Romans regarded this *mimetic* dancing, generally an accompaniment of a banquet performed by one or more hired dancers, as degrading to those who took an active part in it. Cp. the story of King Philip dancing at his revels after the battle of Chaeronea: and the classic passage, pro Mur. § 13 nemo fere saltat sobrius, nisi forte insanit.—This did not prevent the existence of 'ludi saltatorii,' dancing schools, at Rome, in which boys and girls were taught, generally by a Greek 'professor': although the sterner sort of Romans frowned on them (cp. Sall. Catil. c. 25).

frugalitas, 'sense of propriety,' or 'sobriety': explained in Tusc. iii. § 16 as equivalent to *σωφροσύνη*, the steady government of the passions, though in popular use it was applied most commonly to a slave. The kingly virtues that follow are, by a piece of subtle flattery, the same which distinguished Caesar himself. On **liberalem v. n.** on Marc. § 16.

magnanimum: A H *magni animi*: probably right as the adj. occurs nowhere else in the speeches, though found in de Off. i. 63. (Mr. Clark's Anecd. p. xxxviii.)

ut volet quisque, accipiat, 'every one is free to take what I say as he chooses.' For the fut. (pres. required by Eng. idiom) Phil. ii. § 118 *mecum, uti voles, [agito]*.

ille quidem, *n.* on Marc. § 9. The real antithesis, somewhat § 27. veiled by the construction, is between **regium nomen** and **optimus pater familias** cet.

agricola: confirmed by the statement in Varro (de re rust. i. 1. 10), that Diophanes of Nicæa translated the six volumes of the Carthaginian Mago, 'the father of agricultural science,' and sent them to Deiotarus. Observe that D. is invested with the national virtues of the old Roman: on the revived interest in agriculture at this time cp. Sellar's Vergil, pp. 186-188, and especially Cic. de senect. §§ 51-60.

- § 28. **disciplinam**, prop. 'instruction' (*discipulus*): so *Lig.* § 20: then 'moral practice' in accordance with a certain rule of life.

pudor animi, pudicitia corporis: 'honourable feeling and behaviour.'

in illam aetatem: what difference would 'istam' make in the sense?

tamen explained by **iam exacta aetate** = 'in spite of his proficiency when he was a younger man, now in his old age,' &c. Cp. **si** followed by **tamen** in § 25 *ad fin.*

haerere, of a firm seat in the saddle; *Hor. C.* iii. 24. 54—

Nescit equo rudis | haerere ingenuus puer.

meus in Cilicia miles, v. *Introd.* § 3 and *note*: in *Graecia*, under Pompeius.

- § 29. **exeritu Pompeiano**: **post Pharsalicum proelium** probably a gloss to explain this.

qui pacis semper auctor fui, v. *Marc.* § 14 and *notes*.

ponendorum = **deponendorum**, which most MSS. read, but not A H. Cp. *coluber positus novus exuviis Verg. A.* ii. 473, and *Marc.* § 31 *arma posita*.

abiciendorum: the best comment on this contrast is *ad Fam.* vi. 2 *armis aut condicione positis aut defetigatione abiectis aut victoria detractis*, 'arms laid down by capitulation or thrown down in weariness or taken off in the hour of success.' Contrast *proicere arma*, 'to throw away' in a panic.

auctoritatem, concrete = *eam sententiam cuius auctor* ('advocate') fui.

patri satis faciendum, 'must meet the wishes of his father': cp. § 13 for metaphorical application of the phrase.

calamitosus, and **calamitas**, often used with immediate reference to a legal conviction: opposed to *incolumis*. Cp. *Lig.* § 16.

- § 30. **sint sane inimicitiae**, *Marc.* § 22 *n.*; taken up in a different form after the parenthesis by **sed quamvis**, etc.

tuum patrem . . . quis esset . . . audivit: subject of the dependent clause attracted into the principal sentence as its object. Far commoner in Greek than in Latin prose: *ad Fam.* viii. 10 *nosti Marcellum, quam tardus sit*. So in older English: e.g. *Bp. Latimer*, (*Sermons*) 'Who is the most diligentest Bishop in all England? I can tell, for I know him who it is.'

hominum more: we should rather say 'like gentlemen': cp. *Cicero's* account of his reception of Caesar and his retinue, '*quid multa? homines visi sumus*,' 'in a word, I showed that I was a gentleman' (*ad Att.* xiii. 52). And Nero's remark on the com-

pletion of his Golden House, 'se quasi hominem tandem habitare coepisse' (Suet. Ner. 31). In the same sentence, by a kind of zeugma, *poteratis* is carried on to *non . . . insectari* in the sense of *debebatis* ('you might have' . . . 'you ought not to have,' etc.).

esto, elev, 'granted you ought.' *adeone concedi debet?*

abducere domum, from the embassy of Deiot.: v. § 2.

omnibus familiis: Castor had violated not merely the tie of blood (*non uni propinquo*, sc. Deiotaro) but the ties which united the household, *slaves* as well as children, under the *paterfamilias*.

a tanta auctoritate, 'by such a high authority': 'res pro persona,' hence the preposition. Cp. Ovid, *saepe sequens agnam lupus est a voce retentus* 'by the tuneful bard.'

o tempora, o mores = 'how times have changed!' (Familiar to § 31. us from Catil. i. § 2.)

Cn. Domitius Ahenobarbus, tribune B. C. 104, to revenge himself on M. Aemilius Scaurus for not having nominated him an augur, indicted him in the *comitia tributa* (*in iudicium populi vocavisset*) for curtailing the rites of the Penates; the accused was acquitted by a narrow majority.

principem civitatis, 'the leading citizen of the time': as Cic. says of Pompeius, 'cum in republica Cn. Pompeius *princeps* esset' (ad Fam. i. 9. 11). This significant, though unofficial title, was taken by the Caesars as the best designation of their position. It is not to be identified with the title *princeps senatus*, 'first on the senatorial roll' as made out by the censors: a title which this M. Scaurus also held: cp. de orat. ii. § 197 p. et *senatus et civitatis*, which combines both.

hunc Cn. Domitium Calvinum. Mentioned already, §§ 14, 25: § 32. present, perhaps as an *advocatus* or 'witness to character' for Deiot.: so too *hoc Ser. Sulpicio Rufo*: a famous jurist, consul B. C. 51; known to us by Philipp. ix, Cicero's eulogy on him after death, and ep. ad Fam. iv. 5, his noble consolatory letter to Cicero after the death of his daughter.

iura et exempla, 'law and precedent': of the latter § 31 gives an example. *domestica* = *vestrae domus*.

inquinares, 'sully' or 'contaminate': the word is connected with *caenum*, 'mud.'

eius . . . nomine . . . 'he used the name of that excellent man' § 33. when he wished to abuse you.'

scriberet, the past of *scribat*, deliberative subj., K. 358, R. 1610, P.V. 384. 2.

capita caesorum in rostris proposita (cp. Flor. iv. 6. 5. on the practice in time of proscription): ironical of course.

- § 34. **inquam** generally used to emphasise the repetition of the same word: here, of the same *idea*, that Caesar's victory alone has been attended by no unnecessary bloodshed. Cp. Marcell. § 28: and my note on Cluent. § 65.

et, 'and after that,' *et̄ra*: used to dismiss a subject, with an impassioned question (Verg. A. i. 48), or indignant outburst (Mil. § 91).

nam both here and below gives the reason why the matter of the statue has not been mentioned in the preceding sentence. But in *effect* it is a formula of '*occupatio*': i. e. it anticipates an objection, implying that there is nothing in it.

valde enim, etc., ironical.

si locus adfert invidiam: evading the real point, which was, not that the statue was placed on the Capitol, but that it stood among those of the Kings. 'If ever there was a King, Caesar was one, though, like the greatest of our English kings, he never bore the title.' (W. W. Fowler, Caesar, p. 365.)

rostris: two statues of Caesar had been placed there, at the top of the Forum Romanum.

plausu: on the reception thus given to celebrities on their entering the theatre or circus, cp. Sest. §§ 115-118: ad Att. ii. 19. 3—'*populi sensus maxime theatro et spectaculis perspectus est*' sq.: Hor. C. ii. 17. 25 of the applause given to Maecenas after his illness.

nec . . et . ., lit. 'both not . . and': 'applause which, never expected in your case, has sometimes been forgotten in the pure ecstasy of your admirers.' The stress always falls on the *et*-clause. The reading in *te* (v. l. *a te*) rests on the testimony of AH. It would have been an impertinence, in such a delicate matter, even to refer to Caesar's personal feeling.

- § 35. **id . . aliquid**, Lig. § 22 n.

quid amiserit: Introd. § 4.

multis, 'to many,' sc. sociis victoriae tuae. The double dative after the gerundive is an exception to the general rule (R. 1147, P.V. † 361), to which, e. g. '*quibus est a vobis consulendum*' (pro leg. Man. § 6) confirms. Here however there can be no ambiguity. Cp. R. vol. ii. p. lxxiv.

- § 36. **Antiochus Magnus**, 'King of Asia' from the Aegean to the Indus, when Rome declared war against him B. C. 192: after his defeat by L. Cornelius Scipio Asiaticus and his brother P. Scipio Africanus at Magnesia B. C. 190, he was reduced to the rule of Syria.

sustulerat: cp. *poenas sufferre*.

cum . . . *concessisti*, v. n. on Marc. § 13.

ante factis, subst.: 'that he has acquired by his past actions, and § 37. possesses in his valorous spirit, many endowments which he cannot possibly lose.'

quae . . . *tanta iniuria*, v. n. on § 15 *cuius tanti sceleris*: and cp. *infra*, *quae tanta delebit oblivio*?

per aetatem, 'from the time that his years *would allow him* to live a soldier's life.' Cp. n. on Lig. § 25.—The king had assisted (in Asia, Cappadocia, Pontus), Sulla, Murena, Lucullus, Pompeius, the first two in the First and Second Mithradatic Wars respectively (B. C. 86–84 and 82), the latter two in the Third Mithradatic War (B. C. 74–61). In Cilicia, the king had assisted P. Servilius Isauricus against the pirates B. C. 78–76, also Cicero himself B. C. 51; and in the same year, in Syria, M. Bibulus.

publicis populi Romani litteris monimentisque. All *senatus consulta* were formally written out and preserved (*litteris*): a *senatus consultum* affecting international relations was inscribed on two *bronze tablets* (*monimentis*), one of which was hung up in the temple of Fides at Rome, the other in a temple of the other nation concerned. Cp. Horace's '*monumentum aere perennius*.'

quae omnes . . . *dixerunt*, for these doctrines v. Marcell. § 19 with *note*. Observe that this relative *quae* is carried on by the demonstrative *his*, the case having changed. This accords with the regular usage both of Greek and Latin, whereas English repeats the relative, 'and with which.' Thus Andok. de myst. § 145—*ἐν ἐμῇ σώσαντες μεθέετε, καὶ ἔσται ὑμῶν χρησθαι τοῖς*, 'of which you will partake and which you will be able to use, if' etc. Cic. de off. ii. § 40 *Viriathus quem Laelius fregit ferocitatemque eius repressit*. Cp. Marc. § 10 *ad fin.*

acceptam refert, 'owns himself indebted to you for,' etc., acc. § 38. of the thing, dat. of person: a favourite metaphor from business life. Prop. 'to enter on the credit side of the ledger': opp. to *expensum ferre*. V. exx. in L. and Sh. under *accipio* ii. E.

ad eum, of the recipient of a letter, as in '*scribere ad aliquem*.' *Tarracone* 'from Tarragona' where Caesar was fighting against the sons of Pompeius (B. C. 46–45). Introd. § 5. *huic Blesamio* of the bearer.

memini . . . *te scribere meque* . . . *esse iussum*, 'I remember § 39. your writing, and my having been ordered.' If *memini* is to take the pres. inf., it must be of events which the subject remembers at first hand, as a contemporary. Such events however *may* be ex-

pressed historically in the perf. infin. : as here, *esse iussum* denoting a single past fact, and § 25 *esse constitutos*, a completed act. Refer to Dr. Reid on Lael. § 2, and my *note* on Cluent. § 79 : R. 1372.— For the circumstance v. Lig. § 7.

equidem, a strengthened *quidem* (μέν): here answers to *sed* below. Cp. *n.* on Lig. § 30.

quocum mihi, etc., 'to whom I am bound by a friendship cemented by political considerations, a tie of hospitality contracted by reciprocal inclination, an intimacy which is the growth of constant intercourse, above all, by a bond of devotion created by his great services to myself and my army': an ascending series.

semel, v. *n.* on § 8: the idea is emphasised by the use of perf. inf. pass. (completed action) after *oportet*. Cp. my *n.* on Cluent. § 129: and R. 1371 d (P.V. 381).

§ 40. *nullius*, *n.* on Marc. § 4.

proponere tibi ante oculos, Marc. § 5. For the co-ordination with *dabis* v. *n.* on Lig. § 30. *duos reges*, Deiotarus and his son.

incolumitates, plural with reference to the individual cases: so Nat. Deor. ii. § 3 *religionum sanctitates*.

regium nomen refers doubtless to *foreign* kings alone. Cp. the words of Scipio in Liv. xxvii. 19 *regium nomen, alibi magnum, Romae intolerabile esse* (quoted by Mayor on Phil. ii. § 80, which see).

§ 41. *corpora sua . . . tradunt*: purely metaphorical expression: cp. pro Marc. § 32 *laterum nostrorum oppositus et corporum*. For the embassies of Deiot., v. Introd. § 5.

§ 42. *illis*: as in § 43 *ad fin.*, *illorum* might have stood. Governed by *supponit*: cp. *suppositicius* of a reserve gladiator, to take the place of (sub—) the vanquished.

memoriam tuam: a remarkable memory is attributed to Caesar in Lig. § 35 and Phil. ii. § 116: and may be illustrated by the story of a lawsuit in which the defendant, one of Caesar's veterans, reminds him of a trifling incident in his Spanish wars (Seneca, de benef. v. 24), he had sprained his ankle and was resting in a rough place on the march, and the soldier had brought him water in his helmet.

pedem discessisse unum: cp. the colloquial phrase *transversum digitum* or *unguem discedere*: for the accus. v. R. 1086, P.V. 303 (K. 282).

§ 43. *alterum optare . . . alterum conservare*, in somewhat loose reference to the main idea rather than the actual wording of the preceding antithesis: hence the neuter gender.

INDEX

The Numbers refer to the Sections.

abicio arma, Deiot. 29.
 abripio, of a storm, Lig. 34.
 abstract for concrete, Marc. 10, 13.
 abstract nouns in plur., Marc. 12 ; Deiot. 40.
 abutor, 'use up,' Lig. 1.
 acceptus in bonam partem, &c., Deiot. 14.
 accus. of space over which, Deiot. 42.
 — of exclamation, Deiot. 2.
 ad hominem, 'like a man,' Lig. 16 ; nihil ad, 'nothing compared with,' Deiot. 24.
 adjectives, magnus, &c., Marc. 3.
 — positive coupled with superl., Marc. 11.
 advocati, Lig. 33 ; Deiot. 32.
 aequalis, 'of same age,' Lig. 4 ; so aequalitas.
 aetas, 'advanced age,' Deiot. 8.
 aeternitas, Marc. 28.
 agreement, imperfect, of verb with subject, Lig. 33.
 agriculture, revival of, Deiot. 27.
 Africanum bellum, Deiot. 25.
 Alexandrinum bellum, Deiot. 24.
 aliquid, Marc. 32.
 aliquis, 'some or other,' almost = alius aliquis, Lig. 27.

an = num, Lig. 5, 13.
 anacoluthon, Marc. 12.
 ante oculos ponere, Marc. 5.
 antequam, with pres. indic., Deiot. 7.
 Antiochus Magnus, Deiot. 35.
 apodosis to unfulfilled condition, dependent form, Lig. 23.
 apostrophe, Lig. 2.
 applause in theatre, of celebrities, Deiot. 34.
 asyndeton adversativum, Lig. 25.
 atrox, 'threatening,' Marc. 21.
 attraction, Marc. 21 ; Lig. 2, 24, of pronoun : of subject of dependent clause into principal, Deiot. 30.
 auctoritas, concrete 'vote,' Marc. 2 ; Deiot. 29 ; illa a. = vir illa auctoritate, Marc. 10 ; cp. Deiot. 30.
 audio, 'approve,' Marc. 25.
 baths, Roman use of, Deiot. 17 : brachylogy, Marc. 25.
 cadere in hominem, 'to fit,' Deiot. 16.
 Caecilius, Q. Bassus, Deiot. 23.
 Caesar, C. Julius, character, Marc. 1 ; Deiot. 21.

- Caesar, memory, Lig. 35 ; Deiot. 42.
- military genius, Marc. 5, 6.
 - an advocate, Lig. 30 ; Deiot. 7.
 - adulation of him, Marc. 8 ; as almost a king, Deiot. 1, 34 *n. v.* Introd. to Marc. i. 3.
- Caesar, Sextus, Deiot. 14.
- caput, 'civil existence,' Lig. 33 ; cp. Deiot. 1.
- causa, 'a party,' Lig. 27 ; plur. 'claims,' Lig. 31.
- celo, qm de re, 'keep in the dark about,' Deiot. 18.
- certus of 'someone who shall be nameless,' Marc. 16 ; Deiot. 8.
- chiasmus, Marc. 28.
- Cicero, M. Tullius, defends his conduct, Marc. 14.
- his action at outbreak of Civil War, Lig. 7.
 - pro-consul of Cilicia, ib.
 - still holding imperium, Deiot. 11.
 - nervousness at outset of speech, Deiot. 1.
- Cicero, style : use of two verbs in hendiadys, Lig. 31.
- civis, opposed to socius, Lig. 2.
- communis, communicare, Marc. 6, 22.
- concedo qm cui, 'pardon a man at prayer of another,' Marc. 3 ; so condono qm cui, Lig. 36.
- condicio, Marc. 8.
- congeries, a rhetorical figure, Lig. 9.
- conjunction : copulative for adversative, Marc. 20.
- consobrinus, Lig. 11.
- contubernalis, Lig. 21.
- conventus, three senses, Lig. 24 *n.* ; Deiot. 5.
- co-ordination for subordination, Lig. 30, 31 ; Deiot. 40.
- copiae, 'resources,' Marc. 8.
- correctio, figure of speech, Deiot. 2.
- credo, parenthetical and ironical, Lig. 28.
- cum . . . tum, construction, Deiot. 1.
- cumulus, cumulatus, Marc. 34.
- cupiditas, Marc. 13 *n.* ; Lig. 3.
- dancing, Roman view of, Deiot. 26.
- dative of agent, Marc. 3.
- defendo, pregnant use, Lig. 6.
- Deiotarus, Introd. to Deiot. 2, 3, 4.
- family of, ib. 4 *n.*
- dignitas, Lig. 19.
- dimitto, 'disband,' Deiot. 19.
- disciplina, 'moral practice,' Deiot. 28.
- distrahi cum, 'fall out with,' Deiot. 15.
- Domitius Calvinus, Cn., Deiot. 25.
- Domitius Ahenobarbus, Cn., Deiot. 31.
- dumtaxat, Deiot. 1.
- epithet thrown out into emphasis, Lig. 33.
- equidem originally same as quidem, Lig. 30.
- esse with adv., Deiot. 19.
- et, appending explanation, Lig. 17.
- = et quidem, Lig. 24.
 - = *εἴτε*, Deiot. 34.
- evocatus, veteran in the reserves, Deiot. 13.
- exaudio, 'hear distinctly,' Lig. 6.
- excubiae, opposed to custodiae, Marc. 32.
- excusare, 'excuse oneself,' Lig. 21, ubi *v. n.*
- exempla, 'precedents,' Deiot. 32.
- extremum, subst., Marc. 27.
- familia includes slaves, Deiot. 30.
- fatalis, of the Civil War, Deiot. 13.
- fides, of an advocate, Deiot. 1.
- frugalitas, 'sobriety,' Deiot. 26.
- future for Eng. pres., Deiot. 26.

INDEX.

future perf. in protasis and apodosis, an exact coincidence of action, Lig. 36.

Galatia, *Introd.*, Deiot. 1.

genitive, double dependent, Marc. 4; Lig. 12, 14.

— of definition, Marc. 13; Lig. 29.

gerundive with double dative, Deiot. 35.

gratia, gratiae, Marc. 33.

habes, Deiot. 21.

haerere equo, Deiot. 28.

hendiadys, Marc. 23.

hoc ipsum, a sort of article, Marc. 27.

homo, emphatic, Marc. 14.

— for Eng. 'gentleman,' Deiot. 30.

hostis, a foreign foe, Deiot. 13.

hyperbole, Marc. 10.

iaceo, 'languish,' Marc. 23.

idem, in contrast, Marc. 1.

igitur, resumptive, Deiot. 12.

ille redundant (with quidem), Marc. 9, 11.

immo vero, corrective, Marc. 26.

imperative future, more formal, Marc. 27.

imperf. of attempt, Lig. 24.

— followed by plup. subj. in apodosis, Lig. 25.

importunus, 'monstrous,' Deiot. 15.

in, 'in the case of,' giving the circumstances, Marc. 24.

incendium, metaph., Marc. 29.

indic. in or. obliqua, Marc. 5.

— with cum temporal, Marc. 13; Lig. 18; Deiot. 3.

— with cum 'whenever,' Deiot. 4.

— with qui, identifies, Marc. 16; tacit reason, *ib.* 18.

— with qui restrictive, Deiot. 16.

— with antequam, Deiot. 7.

— with 'cum inversum,' Lig. 3.

indic. for subj., in case of impersonal verbs in apodosis, Lig. 28.

indignitas, 'mean condition,' Deiot. 2.

infinitive, after persuadeo, Marc. 2.

infinitive, 'indefinite,' Deiot. 13.

in praesidiis esse, Lig. 28.

inmanis, Marc. 8.

inquam, Marc. 7, 28: with repeated *idea*, Deiot. 34.

integer, Marc. 15.

is aliquis, 'that somebody,' Lig. 22; Deiot. 35.

iste, Lig. 9.

Juba, king of Numidia, Lig. *Introd.* 3, and 24 *n.*

iustus, 'regular,' Lig. 27: Deiot. 13.

laus, laudes, Marc. 12.

liberalitas, liberalis, 'handsome,' Marc. 16.

Ligariana oratio, a deprecatio, *Introd.* Lig. 1; *ib.* 6.

Ligarius, Q., *Introd.* Lig. 2, 3.

litotes, Deiot. 16.

litteras dare alicui ad aliquem, Deiot. 38.

lux, metaphorical, Lig. 6.

luxury at Rome, Deiot. 21.

magnanimus, Deiot. 26.

magnum est, 'too much to expect,' Deiot. 19.

Marcelliana Oratio: its title, Marc. 1.

— problem of its genuineness, *Introd.* Marc. I, 4.

Marcellus, C. brother of M., cos. B. C. 49, Marc. 10.

Marcellus, C., cousin of M., cos. B. C. 50, Marc. 10.

Marcellus M. Claudius, *Introd.* Marc. II.

memini, 'have in memory,' opposed to reminisci, Lig. 35.

— construction with inf., Deiot. 38.

modus, 'moderation,' Marc. 1.

INDEX.

- monimentum, bronze tablet, Deiot. 37.
- munus, 'gladiatorial show,' Marc. 28.
- nam, particle of occupatio, Deiot. 34.
- natura, 'course of things,' Marc. 25.
- natus ad = natura aptus ad, Lig. 22.
- ne dicam, v. correctio.
- nec . . . et, Deiot. 34.
- nempe, 'of course,' Lig. 25.
- nescio quis, Marc. 13.
- non dicam (non modo) . . . sed, Marc. 4.
- non modo (non) . . . sed ne . . . quidem, Lig. 4.
- nunc, introduces new section, Marc. 21.
- return from the unreal to the actual, Lig. 16, 29.
- obfundo, use in Marc. 10.
- obscuritas, 'perplexity,' Marc. 30.
- obstrepi, Marc. 9.
- omnis plur. = 'of every kind,' Lig. 21.
- oportet, with perf. inf. pass., Deiot. 39.
- opportunitas, Marc. 6.
- ornamenta, 'outfit,' Marc. 24; 'distinctions,' Deiot. 12.
- os, 'cheek,' Deiot. 3.
- pars, partes, Marc. 27.
- passive, of some deponents, Marc. 27.
- patientia, opposed to constantia, Lig. 26.
- per me licet, etc., Lig. 25; Deiot. 37.
- perduellio, Introd. Lig. 4.
- person, 2nd sing., indefinite, Deiot. 4; Lig. 28.
- Plinius, C., Secundus, *Panegyricus*, Introd. to Marc. I. 2.
- pluperfect in place of Eng. perf., Marc. 1.
- plural, generic, Lig. 33.
- Pompeius, Cn. Magnus, Deiot. 12.
- pono = depono, Deiot. 29.
- postulo = accuso, Lig. 12, 17; 'require,' Deiot. 1.
- praeteritio, a figure of rhetoric, Lig. 30.
- pregnant sense of words, Lig. 6 n.
- princeps, as a title, Deiot. 31.
- pronoun, inclusive plural instead of sing., Lig. 29.
- possessive, use, Marc. 22; Lig. 8.
- relative, carried on by demonstrative, Deiot. 37.
- pronouns in juxtaposition, Lig. 6.
- proscriptions of Sulla, Lig. 12.
- provideo = praecaveo, Marc. 21.
- pudor, opposed to pudicitia, Deiot. 28.
- quamquam, corrective, Marc. 27; Lig. 24.
- quantuscunque, Marc. 7.
- queror cum aliquo, Deiot. 8.
- quidam qualifying, Lig. 5.
- strengthened by ille, Marc. 9; Deiot. 18, 27.
- quotusquisque, 'how few,' Lig. 26.
- ratio, Lig. 30.
- recordor, opposed to reminiscor, Lig. 35.
- referre acceptam, metaph., Deiot. 38.
- reflexive pron. doubled, Lig. 36.
- regium nomen, how regarded at Rome, Deiot. 40.
- res, use of, Marc. 22.
- resto, Marc. 27, 32 n.; Lig. 5.
- sane, concessive, Marc. 22.
- satis facere, 'meet the claims of,' Deiot. 29.
- scribere ad, Deiot. 38.
- sed tamen, resumptive, Deiot. 23.

INDEX.

semel, 'once for all,' Deiot. 8.
 senate, procedure in, Marc. 33.
 senatus auctoritas, Deiot. 11.
 senatus consulta, how recorded,
 Deiot. 37.
 sentio, of political views, Marc. 15.
 — 'know to one's cost,' Deiot. 8.
 Ser. Sulpicius Rufus, Deiot. 32.
 si with tamen in apodosis = etiamsi,
 Deiot. 25, 28.
 signum tollere, Marc. 2.
 slaves, examination by torture,
 Deiot. 3.
 — enlisted, Deiot. 24.
 species, 'vision,' Marc. 20.
 in speculis esse, 'on the look out,'
 Deiot. 22.
 spero, with pres. inf., Marc. 21.
 splendor, of equites, Lig. 33.
 status, 'fixed position,' Marc. 26.
 Stoic doctrines, Introd. to Marc. I,
 3.
 subject to infin. after impersonal,
 omitted, Lig. 18.
 subjunctive (v. 'indicative' also).
 — imperf. for fut. part. with pf.
 subj. (periphrastic), Marc. 17.
 — virtual or. obliqua, Lig. 1, 25;
 Deiot. 21.
 — of contrast, with relative, Lig.
 8.
 — concessive, Lig. 18; Deiot. 30.
 — conditional, after cum, Lig. 14,
 19.
 — deliberative, Lig. 31; Deiot.
 21; past, Deiot. 32.
 — after temporal particles, Deiot.
 17.

summa, 'main point,' Lig. 29.
 superlative, English, turned in
 Latin, Deiot. 5.
 suppono, 'put in some one's place,'
 Deiot. 42.

tacitus, 'unexpressed,' Lig. 6.
 tam with comparative, Deiot. 8.
 — used with adj. after demonstr.
 pron., Deiot. 15.
 tamen elliptic, Lig. 34.
 tectus, 'guarded,' Deiot. 16.
 tenses, sequence of, imperf. subj.
 after pf. indic., Marc. 26;
 Lig. 1.
 Aelius Tubero, L., and Q. Tubero,
 Introd., Lig. 2, 3.

ullus, tr. 'any other,' Marc. 3.
 — substantival, Marc. 21.
 uterque in plur. use, Lig. 36.

vacuus, construction, Marc. 17.
 Varus, P. Attius, Introd., Lig. 2.
 verecundia, Marc. 2.
 vide ne, 'I am afraid you will find
 that,' &c., Marc. 26.
 vir in apposition, Lig. 1.
 — opposed to homo, Deiot. 16.
 voluntas, 'political learning,'
 Marc. 30.

Wolf, F. A., argument against the
 authenticity of the *pro Mar-*
cello, Introd. to the speech, I.

Zeugma, Deiot. 30.

APPENDIX TO NOTES ON PRO MARCELLO.

EXTRACT from Letter of M. Tullius Cicero to Ser. Sulpicius (Sept. B.C. 46) :

‘Uno te vicimus, quod de Marcelli collegae tui salute paulo ante quam tu cognovimus, etiam mehercule quod quemadmodum ea res ageretur, vidimus; nam sic fac existimes: post has miserias, id est postquam armis disceptari coeptum est de iure publico, nihil esse actum aliud cum dignitate; nam et ipse Caesar accusata acerbitate Marcelli—sic enim appellabat—laudataque honorificentissime et aequitate tua et prudentia repente praeter spem dixit, se senatui roganti de Marcello ne hominis quidem causa negaturum; fecerat autem hoc senatus, ut cum a Lucio Pisone mentio esset facta de Marcello et C. Marcellus se ad Caesaris pedes abiecisset, cunctus consurgeret et ad Caesarem supplex accederet. Noli quaerere: ita mihi pulcher hic dies visus est, ut speciem aliquam viderer videre quasi reviviscentis rei publicae. Itaque cum omnes ante me rogati gratias Caesari egissent praeter Volcatium,—is enim, si eo loco esset, negavit se facturum fuisse—ego rogatus mutavi meum consilium: nam statueram non mehercule inertia, sed desiderio pristinae dignitatis in perpetuum tacere. Fregit hoc meum consilium et Caesaris magnitudo animi et senatus officium; itaque pluribus verbis egi Caesari gratias, meque metuo ne etiam in ceteris rebus honesto otio privarim, quod erat unum solatium in malis. Sed tamen, quoniam effugi eius offensionem, qui fortasse arbitraretur, me hanc rem publicam non putare, si perpetuo tacerem, modice hoc faciam aut etiam intra modum, ut et illius voluntati et meis studiis serviam.’—ad Fam. iv. 4. §§ 3, 4.

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